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**The European Commission, Migration  
and the External Dimension**  
**A Study of Organisation**

**Nur Abdelkhalik**

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# Abstract

The thesis examines how the European Commission incorporated and implemented migration policy as part of the European Union's external relations, also known as the external dimension of migration. The focus of the thesis is on the period between the coming into force of the Amsterdam Treaty in 1999, when migration largely came to fall under the Commission's remit, and the ratification of the Lisbon Treaty in 2009. The study compares how the Commission's Directorates-General (DGs) involved in the external dimension of migration during this period—Justice, Liberty and Security, External Relations and Development—made sense of the changes introduced to their responsibilities.

The thesis proposes that the concept of organisational culture, drawn from organisational sociology, can explain how actors interact with and collectively make sense of their organisational environment. The main argument of the thesis is that each of the DGs possesses an organisational culture based on its members' shared readings of priorities and the function of their unit. The thesis examines these divergent organisational cultures to gauge how policies are internalised and translated into output. The analysis contributes to the external governance literature, which has theorised the external dimension of migration as a continuation of European integration processes without accounting for internal organisational dynamics. It also leads to reflections on organisational sociology theorising, and the implications of the findings on studies of organisational change and implementation.

This thesis is divided into five chapters. The first provides a background for how the Commission came to be involved in migration policy. The second provides a theoretical framework for the study, building on organisational sociology. The remaining chapters empirically analyse the three elements of organisational culture: DG members' sources of organisational identity, their perceptions and prioritisations of the external dimension of migration, and their reading of the Commission's implementation practices, focusing on relations with Morocco as a tool for illustrating the latter.

# **Declaration**

I hereby declare that, except where otherwise indicated, this thesis is entirely my own work, and that no part of it has been submitted for any other degree or qualification.

# Abbreviations and Acronyms

ACP	African, Caribbean and Pacific (Countries)
AENEAS	Programme for financial and technical assistance to third countries in the area of migration and asylum
AIDCO	EuropeAid (DG)
ANAPEC	Agence Nationale de Promotion de l'Emploi et des Compétences (Moroccan National Employment Agency)
AVR	Assisted Voluntary Return
CARIM	Consortium for Applied Research on International Migration
CEEC	Central and Eastern European Countries
CIGEM	Centre d'Information et de Gestion des Migrations au Mali (Information and Migration Management Office in Mali)
CSP	Country Strategy Paper
Dev	Development (DG)
DG	Directorate-General (of the European Commission)
EC	European Community
ECJ	European Court of Justice
EDF	European Development Fund
EEAS	European External Action Service
EMP	Euro-Mediterranean Partnership
ENP	European Neighbourhood Policy
ENPI	European Neighbourhood and Partnership Instrument
EP	European Parliament
EU	European Union
FRONTEX	European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union

GAERC	General Affairs and External Relations Council
HLWG	High Level Working Group
ICMPD	International Centre for Migration Policy Development
IGC	Intergovernmental Conference
IO	International Organisation
IOM	International Organization for Migration
JAI	Migration, Social Integration, Justice and Security (EMP chapter)
JHA	Justice and Home Affairs
JLS	Justice, Liberty and Security (DG)
MEDA	Financial instrument of the Euro-Mediterranean Partnership
NGO	Non-Governmental Organisation
NIP	National Indicative Programme
QMV	Qualified Majority Voting
PCD	Policy Coherence for Development
Relex	External Relations (DG)
RSP	Regional Strategy Paper
TCN	Third Country National
TEU	Treaty on European Union (Maastricht Treaty)
UfM	Union for the Mediterranean
UNHCR	United Nations High Commissioner for Refugees (UN Refugee Agency)

## Introduction

In 1999, the European Commission became responsible for what is known as the external dimension of migration policy. Migration as an issue-area was to be incorporated into the workings of Directorates-General (DGs) within the Commission that held different sectoral agendas, and pursued as part of the European Union's (EU) external relations. The Commission's DGs involved in the implementation of the external dimension were to adopt new orientations alongside the tasks they already performed in their respective fields: DG Justice, Liberty and Security (JLS),<sup>1</sup> which had an internal EU justice and home affairs agenda, came to hold the migration file; and DGs External Relations (Relex)<sup>2</sup> and Development (Dev), which conducted the Union's relations on a number of policy areas with partner governments in various geographical regions, were to include migration policy alongside their existing responsibilities. The incorporation of the external dimension of migration policy into the remits of these DGs raises interesting questions regarding the workings of the European Commission as a complex political organisation, which manages policy responsibilities in relation to various sectoral agendas.

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<sup>1</sup> JLS became a DG under the Prodi Commission of 1999-2004. Prior to that, it was a Task Force on Justice and Home Affairs (Geddes 2008).

<sup>2</sup> DGs JLS and Relex are referred to in the past tense throughout the thesis due to the changes that were introduced with the ratification of the Lisbon Treaty in 2009. The coming into force of the Treaty implied changes in the competencies held by the European Commission, and in its organisational structure and division of responsibilities. Post-Lisbon, JLS was divided into two units: DG Justice, and DG Home Affairs. Migration now falls under DG Home Affairs. Relex became part of the European External Action Service (EEAS).

The Commission gained competence on migration with changes introduced by the 1997 Amsterdam Treaty. The Treaty was ratified in 1999, and also that year the external dimension of migration policy was officially embraced at a Special Justice and Home Affairs (JHA) Council held in Tampere, Finland. The Council Conclusions called for the drawing of a comprehensive and common European Union (EU) migration policy<sup>3</sup>, which would come to form part of the EU's relations with countries of origin and transit of migrants (Council 1999).

The Tampere Conclusions, and the European Commission coming to hold responsibility for the external dimension of migration more generally, represented yet another instance of the organisation's task-expansion (Börzel 2005; Ette and Faist 2007). Migration in particular represents a contested policy area where there is disagreement on whether the Commission gaining greater say serves the interests of member states or a growing European Community agenda (Guiraudon and Lahav 2000). The external dimension of migration specifically has been most extensively theorised by the external governance literature, which is reviewed in the next section. External governance approaches to migration generally present the EU level as a discrete unit of analysis, and as absorbing particular sets of security-related preferences (Lavenex 2006; Lavenex and Wichmann 2009). The external dimension is portrayed as an instance of EU rule transfer to non-EU countries, predominantly focused on the security aspects of migration. The danger in framing debates on the external dimension of migration in these terms is that they potentially imply that there is consensus within the EU, or that its institutions smoothly incorporate

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<sup>3</sup> A comprehensive migration policy includes restrictive and preventive measures. Restrictive measures are aimed at controlling migration in the short, immediate term. Examples of restrictive measures include border control and management, visa policies, and the deportation of irregular migrants. Preventive measures, on the other hand, are conceived as being conducive to dealing with the reasons that cause people to migrate. For instance, providing assistance to alleviate poverty and unemployment are seen as ways of cooperating with third countries to tackle the so-called root causes of migration. Both kinds of measures will be discussed in more detail in subsequent chapters.

declared policy objectives. As such, the Commission would be expected to endorse the migration policy responsibilities adopted at official level in a swift manner.

This study begins by rejecting the conceptualisation of the Commission, as the institution in charge of implementing the external dimension, as a unitary actor. Instead, it takes an alternative view of the Commission, which acknowledges the importance of organisation in the incorporation of policy objectives. The thesis aims to contribute to an understanding of how different DGs *within* the Commission diverge in their taking in of new tasks and policy orientations, and how this, in turn, reflects on implementation practices. Thus, I will explore two overlapping questions:

*How has the Commission as a complex political organisation incorporated the external dimension of migration into its remit?*

*How did the Commission's Directorates-General involved in the external dimension make sense of and implement new responsibilities?*

The proposition that the incorporation of policy orientations into the Commission's workings is far from straight-forward is not a new one; a number of studies have suggested that the Commission's policy processes are indeed rather complex (see for instance Egeberg 2004, 2007; Nugent 2000; Peterson 1995; Stone Sweet and Sandholtz 1997; Trondal 2007). Following from this line, the thesis sets out to examine the likely implications of the interplay of the various DGs' agendas—internal security, external relations and development cooperation—on the formulation and implementation of the external dimension of migration. I employ an organisational sociology approach to analyse the details of how the Commission's DGs came to include migration policy into their remits.



In political science, organisational sociology falls under new institutionalism,<sup>4</sup> and more specifically its sociological branch, which resonates heavily with propositions developed in sociology on the functioning of organisations. Organisational sociology emphasises that an organisation's policy processes and functioning matter, and are underlain by the perceptions and cognition of its members: how they collectively make sense of rules, working procedures and institutional structures, and the sectoral and political environment their organisation is part of (Brunsson 1985, 2002; DiMaggio and Powell 1991a; Meyer and Rowan 1977; Olsen 2003). These internal dynamics will contribute to an organisation's complexity, and will be reflected in policy formulation and policy output.

The Commission is an excellent example of organisation complexity. It brings together a variety of interests in its formal structures, most notably through its DGs. Interaction between the various agendas within the organisation is expected to lead to divergences in actors' views of how to achieve common (Commission) goals. In organisational sociology, divergences are taken to be institutional responses to ensure the survival of the overall organisation and to secure legitimacy in a multiple-interests environment (Brunsson 1985, 2002). These dynamics challenge assumptions that organisations are internally coherent and linearly implement policy objectives as output (Cini 1996; DiMaggio and Powell 1991a). Thus, the European Commission is not a depoliticised and impartial administration consistent with a Weberian perspective (Coombes 1970), but an organisation managing complementary, and at times conflicting goals through the work of its DGs.

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<sup>4</sup> Organisational analysis has been incorporated into all three variants of new institutionalism, although historical, rational choice and sociological institutionalisms somewhat differ in what they emphasise as relevant. What they do agree on, however, is the importance of institutions and organisations for understanding political life. These arguments emerged in response to the behaviourist approaches adopted in the 50s and 60s in political science. For general accounts of how organisational sociology has been incorporated into political science analyses, see Hall and Taylor 1996; March and Olsen 1984; and Scott 2008. Organisational sociology will be discussed in greater detail in chapter 2.

Drawing from organisational sociology's theoretical tools, I propose that the way DGs have incorporated the external dimension of migration can be explained through the concept of organisational culture. I define organisational culture as being composed of three elements: *organisational identity*, or how actors within the various DGs make sense of their role and that of their unit in relation to migration policy; *perceptions and prioritisations* of external dimension policy objectives; and resulting *implementation practices*. I argue that examining these three elements of organisational culture gives us an insight into the policy processes underlying the endorsement of the external dimension of migration, and helps us qualify policy output related to this strategy.

The external dimension of migration is a suitable lens for exploring the argument because divergences within an organisation, the Commission, can best be observed when a single policy is incorporated across different departments: DGs JLS, Relex and Dev. The Commission assuming external dimension responsibilities required members of these DGs to relate to new objectives and orientations, and to coordinate with one another on how to make them part of external relations.<sup>5</sup> In order to explore these propositions, the thesis concentrates on the institutional setting and structure that were in place between the coming into force of the Amsterdam Treaty in 1999 and the ratification of the Lisbon Treaty at the end of 2009, when the Commission's remit and organisational structures were altered.

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<sup>5</sup> Where appropriate, the thesis will refer to relations with Morocco as a way of illustrating how intra-organisational dynamics have a bearing on the Commission's practices. It was necessary to employ relations with a third country in order to bring out the nuances of policy implementation. Morocco was chosen due to its high priority as a country of origin and transit of migrants, as well as for the advanced state of its relations with the EU. More details for its suitability to illustrate the Commission's implementation patterns will be explained in chapters 1 and 2.

## **The external dimension of migration in the external governance literature**

The approach taken in the thesis examines the internal dynamics of the Commission to understand how the external dimension of migration was drawn and implemented. But how has the external dimension of migration been explained in the literature? The external dimension has been most systematically theorised by the external governance literature, which proposes that migration is pursued in relations with third countries as a continuation of developments in European integration. External governance explanations do not focus on the Commission as an organisation for their analyses, but rather treat the EU as the actor externalising internal approaches to policies of interest.

### *External governance: Concepts and theorising*

The external governance literature emerged as an attempt to explain the EU's enlargements of 2004 and 2007, and to conceptualise the effects of European integration on neighbouring Central and Eastern European candidate countries (CEECs). External governance has been presented as a continuation of the governance approach employed to analyse internal EU policy-making and rule creation (Friis and Murphy 1999). European governance takes the EU's institutional system as a given, and assesses interactions between public and private actors, both vertically and horizontally, and the effect these interactions have on national political systems (Payne 2000). The network model of governance in particular has been employed to explain interactions between governmental, non-governmental and interest organisations aimed at problem-solving and implementation of policies (Eising and Kohler-Koch 1999; Rhodes 2000). Relations between the various actors are shaped by the EU's multi-level structure, and they in turn feed into this structure,

affecting modes of decision-making and European integration patterns (Kohler-Koch 1999).

A governance approach to European integration is seen as an alternative to mainstream neo-functionalist and inter-governmental theories.<sup>6</sup> External governance, however, does not assess European integration per se, but it examines the process by which the rules that have already been put in place internally as a result of integration are transferred to, and institutionalised in, the domestic policies and practices of non-member states (Schimmelfennig and Sedelmeier 2004). Prior to external governance analyses, theorising of the EU's external relations had remained in the realm of inter-governmentalism, mainly because European institutions were limited in the role they could play in this regard, and because foreign policy was conducted directly between governments rather than through European institutions (Schimmelfennig and Wagner 2004). Instead, external governance advances that the EU has an effect on other countries' policies and political systems. The literature contends that EU external relations are influenced by EU rules and multi-level organisations; vary depending on the policy-making context; bring about changes in the EU's institutions; and Europeanise the foreign policies of member states, non-member states and international organisations (Schimmelfennig and Sedelmeier 2004: 658). External governance thus advances that the process of European integration has produced a system of governance (Friis and Murphy 1999), and particular sets of rules (Lavenex and Schimmelfennig 2009), which are then

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<sup>6</sup> Grossly simplifying the arguments of these two approaches, neo-functionalists advance that the increase in the number of policy areas that European institutions hold responsibility will gradually expand because of the functional inter-connectedness of policy areas (Haas 1961; Risse 2005; Strøby Jensen 2007). Liberal inter-governmental explanations, on the other hand, view transfers of responsibilities to EU level as instances of member states purposely by-passing domestic constraints to pursue their national interests at supranational level (Cini 2007b; Moravcsik 1993, 1998; Schimmelfennig 2004). For detailed reviews of these and other approaches to the study of European integration, see for instance Bomberg, Peterson and Stubb (2008), Cini (2007a), Pollack (2000), Risse (2005) Rosamond (2005, 2007) and Wiener and Diez (2004).

incorporated into external relations. The external dimensions of EU policies are a continuation of internal processes of institutionalisation:

The ongoing constitutionalization of European values and the deepening integration in traditional fields of domestic politics such as environmental, competition or immigration policy are rapidly developing an external dimension, which consists in the attempt to transfer the EU's rules and policies to third countries and international organizations. (ibid: 791)

In advancing these claims, external governance portrays EU rules and objectives as defined through the process of European integration. But how does rule transfer happen? External governance theorising heavily relies on conditionality as a key concept: the EU offers third countries rewards for adopting policies and institutional processes (hard governance). The most prominent and important incentive in the case of accession countries is EU membership. However, scholars argue that conditionality need not be viewed as coercive; in some cases, the economic and political changes undergone by CEECs have represented solutions to domestic challenges, or been a result of persuasion and socialisation (soft governance).<sup>7</sup> Analyses of rule transfer to CEEC countries highlight instances of both, soft and hard governance.

Soft governance encompasses norms and values that actors subscribe to, often through social learning and lesson-drawing. Migration was an issue-area where interior ministries in CEECs introduced measures related to the Schengen provisions

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<sup>7</sup> Persuasion and socialisation correspond to the social learning and lesson-drawing models of external governance, respectively. Through social learning, which is based on social constructivism, actors assess the option that is most legitimate or appropriate according to specific norms and values. Lesson-drawing, on the other hand, stems from a domestic situation that is not satisfactory, and EU rules are seen (without persuasion or coercion) as a solution. Evidence of these models was found in the adoption of certain rules in particular policy sectors prior to engaging in the accession process with the EU. In these cases, epistemic communities were deemed to be an influencing factor on changes (Schimmelfennig and Sedelmeier 2004).

prior to accession (Friis and Murphy 1999; Schimmelfennig and Sedelmeier 2004). When transfer happens through negotiations and commitments to abide by shared goals they represent cases of hard governance (Friis and Murphy 1999; Lavenex 2004). In both cases, the *acquis communautaire* manifests itself and develops at the institutional and legal levels of non-EU members. However, despite arguing for evidence of the two kinds of governance, in their study Schimmelfennig and Sedelmeier advanced that the model that best explained rule transfer was the external incentives model, which is a “rationalist bargaining model” where actors “are assumed to be utility-maximizers interested in the maximization of their own power and welfare” (2004: 663). In other words, hard governance through conditionality, negotiations, and incentives and rewards appeared to be the dominant form of rule transfer. In relation to CEECs in particular, the EU was in a position of power to offer or withhold rewards, most importantly those related to accession.

External governance came to be applied in later studies to relations with countries that did not have the prospects of becoming member states. The EU modelled its European Neighbourhood Policy (ENP) framework for relations with neighbouring regions on the accession process,<sup>8</sup> and this was seen as another example of the Union exporting its rules—and therefore a case where the external governance literature was applicable. Analyses of the ENP, however, conceded that the conditionality of eventual accession was in fact instrumental to effect significant political change (Kelley 2006; Lavenex and Wichmann 2009). Countries under the ENP framework are excluded from EU membership; then-European Commission President Romano Prodi called it sharing everything but institutions (Prodi 2002). But they were nonetheless encouraged to establish stronger ties with the EU based on progress on

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<sup>8</sup> Countries under the ENP include Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, Occupied Palestinian Territories, Syria, Tunisia and Ukraine.

so-called common benchmarks. The EU was thus seen to be seeking to stabilise relations with regions and countries immediately neighbouring it, especially on soft security (or securitised) issues such as JHA (Kelley 2006; Lavenex 2004; Smith and Weber 2007). Even though it lacked the conditionality of accession, Lavenex argues that the EU was driven by a desire to gain legitimacy in the external scene: “from this perspective, not just benevolent idealism, but also apprehensions concerning the enlarging Union’s identity and its vulnerability towards developments in its ‘near abroad’ are the drivers of recent initiatives” (Lavenex 2004: 685).

From this angle, external governance began to acknowledge that there would be certain policy areas where the EU will be more intent to exert influence than others. Therefore, in addition to legal and institutional approximation, different forms of cooperation began to be sought depending on the issue at hand, and as a way of adapting to the lack of an EU membership incentive. The external governance literature began to differentiate between sectors, thereby adopting a more nuanced approach to its assessment of the external dimension of internal policies. Instead of focusing on the translation of rules into the political systems of neighbouring countries, or on macro-policies, it now looked at “sectoral meso-policies”, especially in relation to the ENP (Lavenex 2008: 939). Thus, external governance now further differentiates particular policies depending on the configuration that their transfer takes: hierarchical, which is closer to what the conditionality hypothesis posits in terms of the EU directly exerting influence; or network governance, whereby technical cooperation is developed at horizontal level between the EU and third countries, and portrayed as an alternative to hard governance. The proposition is that hierarchical governance will be predominant on high-politics issues, and its network form will be observed in cases of interest convergence or low enforcement costs (ibid). This turn in the external governance literature was particularly relevant for analyses of the external dimension of migration.

*Migration policy as external governance*

Migration, or JHA more broadly, has been one of the policy areas that the external governance literature has focused on to analyse how internal EU developments in terms of integration have translated into relations with partner countries. The starting points of inquiry are institutional and/ or remit changes, whereby European institutions increasingly came to hold responsibilities in policy areas where an external dimension was also being pursued. Even though at the internal level member states have been reticent to cede responsibility to supranational level on migration, the external dimension was seen as a key area for cooperation, especially with EU enlargements and new countries coming to neighbour the Union (Johansson-Nogués 2004, 2007; Lavenex 2006). Approximation of migration management capacity to EU standards was a main requirement for enlargement in the 2000s. Post-accession, the EU sought to transfer its security capabilities and modes of governance to ENP partners, in particular those which were important countries of transit and/ or origin of migrants, like Morocco (Occhipinti 2007). Two issues will be covered here in terms of external governance accounts of migration: why has migration policy developed an external dimension? And how are its rules being transferred?

Objectives under the ENP are prioritised depending on the sector they pertain to (Smith and Weber 2007). Migration is portrayed mostly as a security concern, and neighbouring countries as sources of security threats (Lavenex, Lehmkuhl and Wichmann 2009). The argument is that the external dimension of migration stemmed from efforts to safeguard internal security in cooperation with third countries (Lavenex and Wichmann 2009). European institutions gaining competence in migration policy and in the implementation of the external dimension is explained as rooted in the logic of JHA officials at different levels of EU governance attempting to achieve greater autonomy to advance their security goals (Lavenex 2006). The external dimension of migration is explained as a venue where JHA officials do not have to compromise national policies and approaches. Therefore, even though migration is a highly contested policy area, the fact that actions as part of the external dimension are out-with the internal sphere induces a higher degree of sectoral



cooperation. The external governance literature thus heavily concentrates on the security aspects of migration.

This angle for analysing the external dimension of migration resonates with the arguments advanced in the critical security literature, which posits that migration has been framed as a security problem, particularly by the managers of unease—politicians, police organisations, borders officers, security professionals, and so on (Bigo 2002: 63). Officials working on JHA issues interact with one another at a transnational level, leading to the convergence of the meanings of internal and international security (Bigo 2002; Lavenex and Wichmann 2009). Migration is linked to security from different angles. Wæver argues that with the end of the Cold War, insecurity was manifested along national identity lines; rather than being concerned with European integration, people were worried about their societal security and this became an issue that political elites responded to because it was “existential, and extraordinary measures should be taken to protect it accordingly” (1995: 405). Migratory movements created insecurity in terms of exposure to others and concerns with the labour market at a time when state-society relations were being reconfigured (Buzan 1993). In addition, at domestic policy level migration came to be linked with welfare provision and public order (Huysmans 2000). Finally, some have argued that the links between migration and security were strengthened with discourses related to terrorism, particularly following the 9/11 attacks; in this case, societal (soft) sources of insecurity converged with military (hard) security concerns (Rudolph 2003).<sup>9</sup>

These portrayals present the external dimension of migration as being relevant and linked to internal security, and European integration developments in that regard. But

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<sup>9</sup> For critiques of the securitisation literature, and especially arguments linking migration and terrorism, see Boswell 2007a and Neal 2009.

how are these security-related objectives pursued? As mentioned above, conditionality is central to external governance analyses. It was a particularly powerful tool to influence candidate countries' practices. But conditionality with countries that do not have the prospects of joining the EU is not as influential because what is deemed the ultimate reward—EU membership—is lacking. Therefore, hierarchical models of rule transfer, whereby the EU would affect policy change through bargaining with third country governments, exhibit limitations when applied to migration as part of external relations with neighbours. Even though the EU is seen as being in a position of power vis-à-vis third countries, it lacks the institutional structures to pursue migration priorities with partner states through hierarchical means. The best examples of a hierarchical instrument are readmission agreements, whereby third countries are obliged to readmit their nationals and transit migrants from the EU once they sign such an agreement. But very few readmission agreements have been concluded, usually in exchange for visa facilitation; where visa facilitation is lacking, as is for instance the case with Mediterranean countries, negotiations have been challenging, to say the least (Lavenex 2008).

The absence of powerful bargaining tools, therefore, has posed limitations on the conceptualisation of hierarchical models of migration rules transfer. Instead, recent external governance writings have turned to the network governance model to explain the external dimension of migration. In this case, exchanges between EU and third country governments adopt a transnational character, and are underlain by a high degree of operational cooperation on migration control matters (Lavenex 2008; Lavenex and Wichmann 2009). In adopting a sectoral lens to explain cooperation on JHA matters, scholars argue that the network governance observed for this policy area mirrors internal modes of cooperation. In fact, Lavenex, Lehmkuhl and Wichmann (2009) suggest that it is necessary to discern the institutional characteristics of policy sectors internally in order to understand external governance patterns.

By adopting a sectoral lens, the external governance approach offers a more sophisticated explanation of the external dimension of migration than hierarchical bargaining models. In highlighting intergovernmental cooperation at EU level for transferring rules to third countries, Lavenex (2006) posits that their homogeneous sectoral framework will influence the kinds of policies that will be favoured. In addition, a closer look at the institutional structure of the ENP and the presence of sectoral, technical sub-committees in the different policy fields is recognised as an innovation, and as an example of a network model of external governance that operates according to a “sectoral, policy-specific logic” (Lavenex and Schimmelfennig 2009: 807). This set-up is differentiated from macro-structures of diplomatic relations, because civil servant experts from partner countries, member states and the Commission come together to discuss priorities and implementation problems (Lavenex, Lehmkuhl and Wichmann 2009). However, stemming from this sectoral perspective on the external dimension of migration, other sets of questions are raised, which the thesis aims to address.

### **Limitations of external governance accounts of migration**

Shifts in the focus of external governance accounts, between hierarchical and network models, and between general and sectoral approaches, suggests that the theoretical frameworks it proposes encounter problems when applied to empirical cases. This approach has a number of deficiencies when it comes to explaining the external dimension of migration more specifically. I propose that the reason for these deficiencies stems from the assumptions external governance makes regarding the *modality of transfer* of internal EU objectives, and the content of *EU rules* as predominantly focused on the security-related aspects of migration. These two assumptions, in turn, raise questions regarding the *actors* involved in the pursuit of the external dimension. I argue that, in order to address these deficiencies, it makes sense to supplement external governance accounts by looking at the organisational dynamics of the Commission. I purposefully refer to the Commission, rather than the

EU, as the institution specifically in charge of implementing the external dimension of migration.

The external governance literature makes particular assumptions about how EU rules are transferred. It is somehow implied by these analyses that legal and institutional developments at EU level are sufficient indicators of the way policies are incorporated into the external realm. Instead, I advance that European-level decisions on the external dimension of migration are only the starting point for understanding how incorporation of priorities happens. The Amsterdam Treaty largely moved migration responsibilities to the Community's area of competence. But this event, like other legal or institutional changes such as the coming into force of the Single European Act or more recently the Lisbon Treaty, are historical events underlain by processes of "politics at the margins" through which approaches come to be part of the EU's actual practices (Mazey and Richardson 2001: 78). The EU's decision to have an external dimension of a common and comprehensive migration policy does not mean that it was automatically drawn and implemented as such. These decisions had to be introduced into implementing organisational units. The *European Union*, constituted by the various European institutions and their sub-units, endorsed new requirements, and had to develop working procedures to incorporate them into existing structures and established practices.

This point leads to the second issue regarding *EU rules*. External governance conceptualisations of the external dimension of migration have advanced that EU rules on migration equate with security-related objectives. The external dimension of migration was explained as stemming from conceptions of neighbours as sources of soft security risks, and overall efforts to stabilise partner countries following a concern with internal security. This proposition is problematic for two reasons. The first is that, even at official declaratory level, the EU's migration strategy includes policy approaches other than security concerns. The Tampere Conclusions in particular, and official documentation thereafter, emphasise the importance of pursuing preventive measures to migration: addressing developmental issues in third

countries and offering greater labour and legal migration opportunities to third country nationals (see for instance Commission 2002, 2005b, 2006b). The second is that, even where a sectoral lens is adopted by external governance accounts, the focus is on JHA officials and their priorities rather than on the different actors that have come to be included in the formulation of the external dimension of migration, especially those holding portfolios that are not security-related. Glossing over these different actors and sectoral dynamics within the Commission, and more specifically between DGs, overlooks divergences in how migration policy, and consequently EU rules are conceived, and how various aspects of the external dimension are brought together within the European Commission.

Finally, and emerging from this last point, is the issue of who the relevant actors are. Even though the external governance literature sometimes acknowledges that there are a number of actors engaged in migration policy and sectoral dynamics at play (Kelley 2006; Lavenex 2006, 2007), it predominantly speaks about *the EU* and *EU rules*. This is problematic because the complexity of the EU as an organisation, and the Commission and its DGs in particular, are not properly accounted for in analyses. A number of studies have documented divergences within the Commission and within its constitutive units that the external governance literature would benefit from taking into consideration when analysing policies and their implementation (Boswell 2008; Cini 2000; Cram 1997; Morth 2000).

This thesis will address these three weaknesses of the external governance literature outlined above by employing the concept of organisational culture to analyse DGs JLS, Relex and Development. By examining the DGs responsible for translating the external dimension of migration into practice from an organisational sociology perspective, the study adds depth to our understanding of EU rules, the way policies are formulated and translated into output, and the implications of the internal organisational dynamics of the Commission on policy processes.

## **Empirical and theoretical contributions of the thesis**

Through the analysis presented in the thesis, I will make two main contributions. First, I will provide a thorough study of the Commission's DGs involved in the external dimension of migration through an organisational sociology lens. The material presented has strong empirical value. In a general sense, it adds to the few studies that have been conducted on how divergences between DGs impinge on the formulation of cross-cutting policies within the Commission (Cini 2000; Morth 2000; Boswell 2008). On migration policy specifically, this piece of research provides a rich account of the incorporation of this issue-area into DGs' remits and its translation into implementation practices. There have been no studies so far that have systematically dealt with DGs' formulation and implementation of the external dimension of migration policy in such detail.<sup>10</sup>

Second, the thesis will make theoretical contributions to the external governance literature and will address weaknesses in this approach that will be discussed below. The thesis offers a theoretical framework for understanding the incorporation of the external dimension of migration based on the concept of organisational culture. Organisational culture is helpful for studying organisational dynamics and how they impinge on policy processes. These issues have not been accounted for in the external governance literature, and this gap results in these analyses offering an incomplete picture of what it means for the Commission to formulate and implement the external dimension of migration.

Finally, the thesis' empirical findings have implications on studies of organisational change and implementation, and highlight ways in which organisational sociology

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<sup>10</sup> However, Boswell (2008) has theorised the responses of DGs JLS, Relex and Dev to having to incorporate the objectives of the external dimension of migration into their remit, and touches upon some of the issues addressed in the thesis.

theorising could itself be strengthened. These points will be reflected upon at the end of the thesis.

## **Thesis outline**

The thesis is divided into five chapters. Chapter 1 presents a historical background of the way in which European cooperation on migration policy emerged, and how the external aspects of this policy area evolved over time. In providing this backdrop, the chapter highlights how the Commission as an organisation related to changes and developments, and sought to gain greater say on migration policy matters.

In chapter 2, I present the theoretical framework that is employed in the empirical analysis. The chapter synthesises the main propositions of organisational sociology that are relevant to the study of the European Commission and its DGs, and defines organisational culture as a useful concept for understanding how DGs incorporated the external dimension of migration. Three elements are argued to constitute the organisational culture of DGs: organisational identity, perceptions of migration policy and prioritisations of external dimension objectives, and implementation practices. The chapter also details the thesis' research design, methodology and data collection methods. The study is qualitative and largely inductive. DGs are treated as case studies in order to compare their organisational cultures according to the theoretical framework devised.

In chapter 3, I examine the first element of organisational culture: organisational identity formation in DGs JLS, Relex and Development. Based on relevant literature and interview material, the chapter analyses how each of the DGs conceived of its role in migration policy in relation to its overall remit. Organisational identity is based on three factors: how officials in each DG see and read their function, how they relate and rely on their sectoral and political environments, and how they portray themselves in relation to other DGs. The chapter also highlights how the Commission's DGs converge in highlighting their role in advancing Community

goals, which is at times hindered by the sharing of responsibilities with EU member states.

In chapter 4, I address the second element of organisational culture, namely perceptions and prioritisations in relation to the external dimension of migration. Also relying on data from interviews and relevant EU documentation, the chapter begins by outlining the official conceptualisation of external dimension initiatives. It then moves on to examine each DG's perceptions of these policy objectives. The different policy orientations encompassed by the external dimension serves to bring out divergences in each DG's prioritisations of issues and goals. I argue that DGs' preferences are consistent with their organisational identity, and pose questions regarding the possibility of pursuing a comprehensive and balanced external dimension of migration as envisaged at official level.

In chapter 5, I analyse the third element of organisational culture: how organisational identity, perceptions and prioritisations translate into implementation practices. The chapter focuses on how DG officials relate to the specific programmes implemented by the Commission in Morocco. Morocco was chosen to provide an illustration of how the previous two elements of analysis translate into specific practices. As such, due to the Commission's organisational structure, the chapter examines DGs JLS and Relex.<sup>11</sup> The chapter scrutinises to what extent implementation through the tools available to the Commission reflects internal divergences and compromises on the achievement of objectives. It also highlights how the Commission's DGs have adapted to the different levels through which they can pursue initiatives: official frameworks for bilateral and regional relations, and alternative thematic arrangements with a range of organisations working on migration policy issues.

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<sup>11</sup> DG Development is not involved in the implementation of initiatives in Morocco.



The Conclusion summarises the thesis' key findings through an organisational sociology lens, and discusses how this approach supplements external governance theorising. It also outlines possibilities for future research on inter-DG coordination of policies, and on the implications of the changes introduced by the Lisbon Treaty on the formulation and implementation of the external dimension of migration. The thesis ends with reflections on possible ways to strengthen organisational sociology theorising, and on the implications of the empirical findings of the thesis on studies of organisational change and implementation.

## **Chapter 1 - Transitions in European Migration Policy: Actors, Priorities and Policy Spaces**

In the thesis I aim to explore how the European Commission incorporated and implemented the external dimension of migration policy. This chapter provides a background to how EU migration policy came to be largely under the Commission's responsibility. Migration was officially introduced into the Commission's remit in 1999, when the Amsterdam Treaty came into force and communitarised the issue-area by largely moving it from the Justice and Home Affairs pillar to the first Community pillar.<sup>12</sup> Until then, migration had been an inter-governmental matter that largely excluded European institutions—the Commission, the European Parliament and the European Court of Justice. The coming into force of the Amsterdam Treaty meant that these institutions were given a more relevant role to play, one which departed from previously dominant intergovernmental cooperation between member states.

Changes in terms of actors involved in migration policy coincided with the adoption of wide-encompassing migration policy content at EU level. The 1999 Special Justice and Home Affairs Council in Tampere, Finland, called for the pursuit of common and comprehensive policies that concomitantly addressed security, economic and development concerns linked with migration (Council 1999). The idea

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<sup>12</sup> The creation of the European Union was based on an analogy with a three-pillared Greek temple. The first, stronger pillar was the Community one, whereby European institutions were primordial to policy- and decision-making processes. The second and third pillars were based on the inter-governmental method—the second was dedicated to the Common Foreign and Security Policy, and the third to cooperation on Justice and Home Affairs. The pillar structure has been abolished with the 2009 ratification of the Lisbon Treaty.

was for this approach to be implemented through the external dimension, a strategy that envisages including migration issues in the EU's relations with countries of origin and transit of migrants (Boswell 2003), and that would be implemented by the European Commission.

This chapter maps three elements in the lead-up to the adoption of the external dimension: how the Commission became involved in migration policy processes, the way in which the different policy content priorities of actors were brought together, and the significance of policy implementation venues. Studying these three elements will help us historicise the Commission's role in gaining competence on migration matters before embarking on the analysis of its mode of incorporating and implementing migration priorities in subsequent chapters. The chapter argues that rather than being a newcomer to migration policy issues, the Commission has tried to gain greater competence in this policy area since it began to be discussed amongst the members of the European Communities in the 1970s; it has consistently tried to link migration to responsibilities falling under its remit.

The first section will review the beginnings of European states' cooperation on migration matters and the institutionalisation of cooperation under the Maastricht Treaty, emphasising the predominant role of governments in the migration policy scene, and highlighting the emergence of other actors. The following section will cover the period post-Amsterdam, when the European Commission gained legal competence in migration policy. Both of these sections will also outline the migration policy content that predominated in each of these phases. The chapter will conclude by offering an account of the evolution of European states' and, more recently, EU relations with Morocco to illustrate the way in which migration has been externalised, and how changes at European level have been reflected in external relations.

### **1.1 State dominance and European Commission exclusion**

Prior to policy coordination under the framework of the European Communities, member states individually pursued migration priorities following largely economic imperatives. Then in the 1970s, they began to cooperate in order to deal with what they perceived as common challenges: continued migration movements despite the introduction of restrictions, and increasing linkages between migration and security questions. In the aftermath of the 1992 Treaty of Maastricht, cooperation between states was formalised as part of the newly-established European Union. The aim of this section is to examine state trajectories in dealing with migration policy, their prioritisation of policy orientations, and the way they related to other actors that had an interest in becoming involved in migration issues at domestic, supranational and international levels—with special focus on the European Commission.

#### *The emergence of cooperation post-World War II*

European governments introduced labour recruitment policies in the aftermath of World War II, which were at the root of the large-scale movement of people into states in need of rebuilding their economies. Countries such as France, the Netherlands, Belgium, Luxembourg, Switzerland and Germany resorted to migrants in the 1950s and 60s to fill certain sectors of the economy (Geddes 2008). These migrants came from within the continent, in particular the southern states of Italy, Spain and Greece, through guest-worker schemes. Labour migrants also came from outside Europe either under these organised schemes, following (former) colonial links, or through a combination of both.

Migration was largely structured by European states in response to economic interests, in particular through guest worker programmes. Employers constituted a source of pressure on governments to sign recruitment agreements with third countries (Freeman 1995). Governments were receptive—and interested parties, too—because migration was a solution to labour needs, and was not yet perceived by public opinion as a problem (Boswell 2007b; Sciortino 2000). Migration flows that

followed colonial links were slightly different from guest worker schemes in that people could move more spontaneously, either as citizens or through preferential arrangements introduced at the end of colonial rule (Castles and Miller 2009; Geddes 2008). Nevertheless, migrants from colonies or former colonies were also seen as necessary for aiding economic recovery.

Migrants were hosted in receiving countries under the assumption that their stay would depend on labour market conditions, and that they would leave when jobs were no longer available. The logic behind this assumption was challenged in the aftermath of the introduction of restrictive policies in the 1970s. The recession that ensued following the Oil Crisis led receiving states to unilaterally terminate labour recruitment agreements that they had signed in the previous decades. States now opted for pursuing policies of migration control in the belief that they would lead to zero-migration (Boswell 2003; Collinson 1996; Lavenex and Uçarer 2002; Uçarer 2003). Despite restrictions, however, there was a significant rise in asylum applications, and migration continued through family reunification (Geddes 2008; Uçarer 2003).

In dealing with the issue of migration through family reunification states were faced with other actors that emerged in the migration scene. In countries such as Germany and France, for instance, courts and rights-based organisations played a crucial role in advocating the rights migrants ought to have, amongst them to be able to be joined by their family members (Hollifield 2004; Joppke 2006). Employers who in some sectors still wanted to have access to cheap labour also continued to pressurise governments to ease newly-introduced restrictions. Despite these interests interplaying in various domestic arenas, however, European states continued to focus their policies on trying to control migration and began pursuing cooperation with other governments at European Communities (EC) level.

In the 1970s inter-governmental cooperation on justice and home affairs issues emerged amongst members of the EC. They loosely institutionalised their exchanges under the framework of the Trevi Group, which was created at the 1975 Rome

European Council. The impetus for Trevi was EC governments' convergence over security-related issues: increased cross-border movements of people, strained border control mechanisms, and heightened fears of criminal activity. Their aim was to have a forum for non-binding consultations on terrorism concerns, with migration being incorporated into discussions in the 1980s (Geddes 2003). Trevi set the precedent for the establishment of other JHA-related forums, such as informal consultations in 1985 for information exchanges on immigration, asylum and refugee matters, and the creation of the Ad Hoc Working Group on Immigration in 1986 (Geddes 2003; Uçarer 2003).

Arguably, the decision of Community members to informally discuss migration out-with national spheres constituted an escape from actors at domestic level, who tried to influence policy and challenge the restrictive measures introduced by states. Governments sought to maintain exclusive competence in migration matters and to find ways to control (if not stop) migration movements. States participated in frameworks such as Trevi and the Ad Hoc Working Group by sending "high-level migration policy officials [...] that dealt with asylum, external frontiers, forged papers, admissions, deportations, and exchange of information" (Geddes 2003: 132). Community cooperation was strongly criticised for only including certain officials (mainly from ministries of the interior), and for being highly secretive. Starting in 1986, the French Senate, German Bundestag and Dutch Parliament increasingly voiced their concern over the lack of democratic control of their governments' cooperation at Community level, and with the fact that informal arrangements for consultation were not subject to either national or European parliaments' accountability (Butt Philip 1994; Callovi 1993; Ugur 1995).

Despite member states' focus on security issues and their efforts to deal with migration away from any scrutiny, the European Commission began trying to gain influence in migration policy. It did not have the required legal standing to do so, but it nonetheless argued that it needed increased competence on migration-related matters to pursue its social policy responsibilities and sought to include third country

nationals (TCNs) in provisions discussed and proposed for EC nationals (Ugur 1995). Arguably, in advancing this argument the Commission attempted to expand its functions and scope of action, and gain greater say as an organisation. The Council of Ministers, in response to pressure exerted by third countries following the introduction of restrictions on labour recruitment, did indeed recognise migrant workers' issues as linked to the Community's social policy in 1974. Then in its Social Action Programme the Commission addressed migrants' working and living conditions, their access to political and civil rights, and the desirability to control irregular migration and coordinate immigration policies (Callovi 1993; Geddes 2008). These proposals were followed in 1976 by an *Action Programme in Favour of Migrant Workers and Their Families*.

The Council, however, opposed the breadth of the Commission's initiatives and its aspirations for gaining a stronger role for itself. Instead, the Council "preferred a less expansive understanding of the term 'migrant workers', one which *encouraged* (i.e. rather than legislated for) the achievement of equality, *consultation* on migration policy and *co-operation* on illegal migration" (Geddes 2008: 55-56, emphasis added). Despite states' resistance, however, the Commission continued to attempt to become a more influential actor in migration policy, and in 1979 it proposed bringing inter-governmental consultations into the Community's institutional framework. Then in 1985 it issued a Communication entitled *Guidelines for a Community Policy on Migration*, which led five member states to challenge its content in the European Court of Justice—they sustained that it went beyond the Community's legal competence (Callovi 1993), and were successful in stopping the Commission's attempts to gain greater say. Even though the European Commission was not successful in becoming involved in migration-related matters, these incidents are helpful for illustrating how the organisation began linking migration with its responsibilities in an attempt to expand its organisational role.

It is important to place the reticence of European governments to cede greater competence to European institutions within the context of advancements in European

integration efforts in the 80s, and the general atmosphere of insecurity that emerged during that decade and into the 90s. Analyses highlight three elements that contributed to linkages being made between migration and security issues, two of them related to changes that took place in the EC. The first was the signature of the Single European Act in 1986, which aimed at establishing a single market by 1992. This development included achieving free movement of persons within Community territory (Lavenex and Uçarer 2002: 4). The effects of removing internal borders were meant to be offset by the 1985 Schengen Agreement, which set common visa regulations amongst signatories—at the time the Benelux countries, Germany and France (Uçarer 2007). Setting common visa regulation was seen as a step towards strengthening external borders, and similar endeavours were dedicated to drawing common asylum policies (Hollifield 2004).

The second factor has to do with Greece's accession in 1981, and Spain and Portugal's in 1986. Their membership of the Communities meant that borders expanded, and regions of origin of migrants were now geographically closer to the common territory. The third factor related to the end of the Cold War, and the emergence of conflict in the Balkans. The instability of neighbouring regions was seen as a threat, and these territories were considered a source and route for potential migration flows (Aghrout 2000; Collinson 1996, 2000; Collyer 2006; Tsardinis and Guerra 2000). Both of these factors informed discourses that argued for (and anticipated) the possible increase in migration, with expectations of refugee flows from the East being the most apocalyptic. Even though the volumes predicted did not materialise (Geddes 2008), the end of the 80s and beginning of the 90s were characterised by a significant rise in asylum applications and refugee movements. The efforts of governments to cooperate on issues of common concern reflected migration control priorities favoured at national level.

Notwithstanding governments' avoidance of domestic scrutiny and their dealing with migration away from formalised frameworks, debates on the issue intensified at international level. Various organisations and bodies increasingly considered ways of



dealing with the migration realities of the time and started analysing alternative approaches to the restrictive ones embraced by states (Butt Philip 1994; Ghosh 2000; Olesen 2002). Discussions centred round ways in which the reasons leading people to migrate could be targeted at the root, and the possibility for creating migration regimes that would allow for integrated management at various levels—local, national and international. The rationale of these approaches was that migration needed to be dealt with in an effective and coherent manner by a multiplicity of actors, in particular in view of the constraints imposed by national policies and the bilateral arrangements between third countries and, in this case, European countries (Ghosh 2000; Loescher 1989; Thouez and Channac 2006; Widgren 1989).

The European Council and Council of Ministers of the EC expected the European Commission to keep track of these debates (Butt Philip 1994), further frustrating the latter's ambitions to gain influence within the EC framework. The Commission, in line with international debates, was keen to explore possibilities for adopting orientations alternative to the restrictive measures embraced by states. It saw the need to consider ways in which to target development aid to reduce migratory pressures from countries of origin (Baldwin-Edwards and Schain 1994), and continued to argue that control policies inevitably impinged on the implementation of the internal market and the Community's social policy—in relation to the situation of workers and their working conditions (Butt Philip 1994). In all of these cases the Commission was trying to link migration to areas under its competence—the EC's development policy, social policy and the implementation of the internal market. Regardless of these developments at international and EC levels, however, it was the security considerations of states that took precedence and were institutionalised in the Treaty on European Union (TEU).

#### *Maastricht and the formalisation of inter-governmental cooperation*

Discussions of how to deal with migration-related issues intensified in the lead up to the signature of the 1992 Maastricht Treaty, or TEU. Governments were divided on

the extent and shape of formalising their cooperation with one another. Opinions ranged from full incorporation of migration under the Community framework, championed by countries such as the Netherlands, Italy, Belgium and Spain; to continuing to pursue non-binding intergovernmental bargains outside of EU institutional structures, an option preferred by the United Kingdom, Ireland and Greece; or leaving it for the Council to decide on a case-by-case basis, which Denmark defended (Corbett 1992).

Negotiations took place within the context (and preparation for) the 1990 Intergovernmental Conference (IGC) on Political Union. It is at the IGC that member states decided on the shape that cooperation on JHA would take, and they opted for creating an intergovernmental pillar—the Third Pillar of intergovernmental cooperation on JHA. This arrangement was seen as a compromise between maximalists and minimalists (Geddes 2008: 91). The aim was for this intergovernmental setting to tackle the inadequacy of the ad hoc methods of the 70s and 80s. States sought to remain the most influential actors in the policy-making process. In fact, the IGC negotiations were criticised for being impermeable:

The IGCs essentially empower national chiefs of governments [...] and their personal representatives, and to a lesser degree foreign ministries. In practice, this meant that the negotiations on justice and home affairs were in the hands of non-specialists. Interior and justice ministries were excluded from the formal bargaining, and in fact were in many cases not kept informed on the progress of the negotiations. (Turnbull and Sandholtz 2001: 216)

The European institutions in particular were dissatisfied with the division of decision-making provisions between them and the member states, and with the institutional setting for JHA cooperation (Callovi 1993). The Commission had argued for the extension of its competencies, as well as against policies that solely focused on migration control. It proposed instead a mixture of measures that tackled these concerns along with the root causes leading people to migrate, and issues of integration once migrants were in Europe (Geddes 2008). The Commission had an

interest in integrating migration into the Community's external relations with the Mediterranean, African, Caribbean and Pacific (ACP) countries, and Central and Eastern Europe (Callovi 1993). Geddes (2008) describes the Commission's approach as being pragmatic, in that it incorporated migration control concerns, a move that was criticised by the European Parliament but was in line with member states' approach. Yet the Commission's stance was again indicative of an attempt to link migration priorities to responsibilities it already held—development, social policy, and external relations.

Regardless of its preferences, however, the Commission was sidelined on migration issues with the decision to establish the EU's three-pillar structure and corresponding decision-making provisions. Post-Maastricht, decisions taken under the Third Pillar required unanimity voting by the Council, and the European Court of Justice and European Parliament were excluded from JHA matters (Guiraudon 2003). The Commission shared the right of initiative with member states, and was limited in the agenda-setting role it could play; it "was only one of 16 possible points of origin for JHA policies (the other 15 being the member states themselves)" (Uçarer 2003: 299). In terms of policy output, JHA initiatives could come in the form of joint positions (non-binding), joint actions (binding if approved unanimously by member states), or would be adopted as conventions (according to international law but interpreted at national level) (Geddes 2008: 100).

As a result of this set up, cooperation between member states on JHA issues, as in the period preceding Maastricht, continued to be highly secretive and to emphasise restrictive policies such as border controls, police cooperation, readmission agreements and visa provisions (Boswell 2003; Guiraudon 2003; Uçarer 2003). Policy output was limited and mostly related to measures that had already been in place before. The fact that decision-making was based on the unanimity principle often led to deadlock, or compromises on the minimum common denominator. In the period between 1993, when Maastricht was ratified, and 1998 over 70 migration and

asylum measures were adopted, all questionable in terms of efficiency (Geddes 2008).

But who was working on these measures? And how did the intergovernmental setting function on a day-to-day basis? The Council of Ministers assumed responsibility for intergovernmental cooperation on JHA, with officials coming mostly from justice and interior ministries. The choice of officials holding these portfolios reflected the political preferences of member governments and the increasing perception of migration as linked to security concerns. Organisationally, the Council of Ministers was supported by the K4 Committee, “composed of senior officials, which assumed responsibilities previously performed within [...] Trevi and the *Ad Hoc* Group on Immigration” (Geddes 2008: 100). These officials, also from police, interior or judicial backgrounds, carried out their work through a series of steering and working groups (ibid), operated away from the scrutiny of the press, NGOs and the wider public (Boswell 2003), and attracted a great deal of criticism for the lack of documentation on, and monitoring of, their activities. In short, the Maastricht JHA arena was very much a continuation of the pattern, composition and policy content prioritisation that emerged in the 70s and into the 80s.

The dominant securitarian line established by these officials stunted alternative approaches to dealing with migration concerns. The Commission continued to present proposals for adopting a more holistic view that would also look into development needs of sending countries—the so-called root causes approach that would explore possibilities for linking development aid to ease reasons leading people to move from their countries of origin (Commission 1994). This approach would have of course entailed that migration be integrated into external relations, which was mentioned at the 1992 Edinburgh Council meeting (Council 1992a). Even though this stance was novel, at the time it did not translate into action at EU level. Governments continued to pursue their domestic objectives bilaterally and individually with third countries following the restrictive line characteristic of JHA cooperation, rather than incorporating developmental considerations into EC

initiatives and external relations. The member states were generally resistant to the Commission's attempts to become more active in migration issues, and the Commission also had to be somewhat careful not to upset the balance imposed by the intergovernmental setting. It wanted a more active role, but it did not want to be marginalised for being too insistent on having more competence. Its resources were also quite limited—it only had a Task Force composed of five staff to participate in JHA-related issues (Geddes 2008).

The Commission's involvement changed towards the end of the 1990s. Ideas such as integrating migration into external relations, and considering development goals as linked to people's migratory movements eventually became part of the EU's political agenda. The next section will outline changes introduced to the EU's institutional structure with the 1997 Amsterdam Treaty. These changes were designed to deal with the limitations outlined above in terms of intergovernmental cooperation on migration, and they allowed for the inclusion of the Commission and of more comprehensive policy content at EU level.

## **1.2 European Commission inclusion and the inception of the external dimension of migration**

The amendments introduced by the 1997 Amsterdam Treaty were meant to address some of the disadvantages of intergovernmental cooperation under the Third Pillar. For the Commission, these changes meant that the organisation would now be involved in migration policy. The Treaty largely moved this issue-area to the First (Community) Pillar, thereby granting the European institutions with greater competence. This section will set out what the Amsterdam Treaty entailed, and how it broadened the content of the EU's migration policy to include orientations other than restrictive control measures. In particular, the section will focus on the emergence of the idea of a common European migration policy with an external dimension, both of which are to be implemented by the Commission.

*The Amsterdam Treaty: preparation and aftermath*

The Amsterdam Treaty placed migration policy under Community competence, thereby granting the Commission a greater executive role than it had had until then, and largely moving migration away from purely intergovernmental cooperation—with the exception of legal migration matters. The changes introduced as part of the Amsterdam Treaty were discussed at the 1996 IGC. The member states debated whether their common interests were being suitably pursued within the institutional structure set up by Maastricht. There were disagreements regarding the question of whether migration should be moved to supranational level. Some states favoured deeper integration and others, such as the United Kingdom, strongly opposed it—although there was a high degree of convergence on the control aspects of migration policy. The European institutions, on the other hand, advocated the consideration of international and non-governmental organisations' views in negotiations (Geddes 2008: 113-122). In fact, taking stock of organisations that worked in areas related to amendments discussed was not exclusive to migration policy. The role of interest groups has been highlighted in other policy sectors discussed at the IGC (Mazey and Richardson 1997). The Commission, in the spirit of becoming a more important player in migration policy issues, expressed quite strong views regarding the need for amendments to the EU's institutional structure through a number of reports. For instance, a Commission of May 1995 criticised operations under the JHA pillar, branding them as inadequate, lacking in transparency, and negatively affecting decision-making processes (Geddes 2008: 121).

After much negotiation, the Amsterdam Treaty was signed in 1997 and ratified in 1999. It introduced changes to decision-making and responsibilities held by European institutions and the member states. The details went as follows: the Treaty set a five-year transition period before the full implementation of the provisions it contained. During this time, migration-related initiatives required unanimity from the Council following consultation with the Parliament, and the Commission continued to share the right of initiative with member states. After this interim period, the Commission was to gain exclusive right of initiative, and the Parliament would

continue to be consulted. The exception to consultation with the EP was on visa procedures and issuance, where there was a shift to the more supranational co-decision procedure (Uçarer 2007). In addition, the 2001 Nice Treaty introduced a clause for migration matters (with the exception of legal migration, which remained a matter reserved for member states) to be based on qualified majority voting (QMV) by January 2005. Gradually, migration was to become a matter of supranational competence.

These changes to institutional provisions signified that not only the Commission, but also the Parliament and European Court of Justice, came to play a more prominent role in migration policy (Uçarer 2002)—albeit with limitations in what concerned legal migration. But with other aspects of migration forming part of the Community Pillar, the Commission became much more active in putting forward proposals (van Selm 2002); its pragmatism and the sharing of the right of initiative with member states had meant that it was not very forthcoming in the period between Maastricht and Amsterdam (Geddes 2008). In terms of its own adaptation to new responsibilities, the inclusion of migration in the Community framework meant these were to be incorporated into the Commission's remit. The organisation was to mainstream this issue-area into different departments whose spheres of activity related to migration concerns. Migration issues touched upon a number of the Commission responsibilities: internal security, social affairs and employment, external relations and development aid provision. Unlike member states pursuing mostly security concerns in their intergovernmental cooperation with one another, including migration amongst the Commission's responsibilities meant (at least theoretically) a widening of policy content options and linkages between policy sectors. In fact, in arguing to have greater competence on migration, the Commission had in the past argued that it impinged on its ability to implement Community policies, as seen above.

Some member states, however, had also been discussing the desirability of linking their migration control priorities to other policy sectors and tools. In 1998, Austria

presented a Strategy Paper (prepared by its Justice Ministry), in which it set out policy options for the EU to deal with migration, but also asylum, concerns. The proposals were highly controversial, in particular because they called for the review (and abandonment) of the 1951 Geneva Convention. Nevertheless, they also reflected more comprehensive ways of thinking about migration issues by extending possible action areas out-with the Union's territory: reduction of migration pressure at the root, intervention in conflict situations, extension of development aid and economic cooperation, political dialogue with third countries concerned, and the tackling of human rights issues in regions of origin (Boswell 2003; van Selm 2002).

The Austrian Proposals were the basis for a Dutch initiative later that year for the creation of a high-level working group (HLWG) that would work in conjunction with the Justice and Home Affairs Council (and across the EU's pillars). The task assigned to this group once its formation was approved involved the assessment of external aspects related to migration. The HLWG was charged with preparing a series of country reports that would analyse a number of issues: human rights situations; migration and refugee problems; potential targets of humanitarian assistance; diplomatic and political dialogue initiatives; possibilities for negotiating readmission and return; regulations relating to asylum, migration, and cross-border crime; and information gathering and exchange (van Selm 2002). Six countries were identified as pilot and priority cases for HLWG reports: Afghanistan, Albania, Morocco, Somalia, Sri Lanka and Iraq.

This more integrated approach to migration policies originating from the member states marks somewhat of a departure from their previous focus on purely pursuing control measures. Boswell (2003) attributes this shift to three reasons: the fact that they were tabled by the Dutch government, known for its more comprehensive take on migration issues; the rise in asylum seekers over the 90s from conflict zones (in particular the Balkans and Iraq); and as a reaction to the more extensive role that the Commission was meant to have in the implementation of the external dimension. The Commission was actually quite resistant to working with the HLWG, and officials in



charge of different portfolios within the organisation were suspicious of the motivations behind the formation of the HLWG and the way its workings may compromise the achievement of the Commission's remit (van Selm 2002).

Despite these intra-EU conflicts, the HLWG reports were prepared and presented at the 1999 Special Justice and Home Affairs Tampere European Council. The Tampere meeting is seen as a landmark for the inception of a European migration policy. It endorsed the policy options mentioned above, thereby widening the scope of what is covered by migration policy, and it called for the adoption of a common approach, as well as its incorporation into relations with third countries (Council 1999). Tampere is significant because, at least at rhetorical level, it aimed at endorsing a coherent strategy for dealing with migration concerns, and tackling what are seen as the three necessary components for a balanced approach: irregular migration, legal migration management, and migration and development. Attention to these three priority areas has formed the basis of numerous Commission Communications to the Parliament and Council of Ministers since (see for instance Commission 2002a; Commission 2005b).

The achievement of a common European migration policy is not only envisaged at the external level. Internal policies of member states are also meant to increasingly converge, although this issue remains beyond the scope of the thesis. In terms of the external dimension of migration specifically, it provided the Commission with a venue to develop and implement a common European migration policy that linked with responsibilities it already held: external relations, development cooperation, and increasingly JHA. Below, the way in which institutional and policy prioritisation have translated into the external dimension of migration policy are discussed.

#### *The external dimension and the Global Approach*

In the years following the Tampere Council, the European Union was busy formulating what it would mean to have an external dimension to a common

migration policy. Discussions took place on two issues: the policy content of proposals, and the venue for their implementation. Whilst the identification of priority geographical areas was relatively straight-forward (neighbouring transit regions and countries with high emigration rates), negotiations on policy content brought the divergences outlined above between member states' and the Commission to the forefront. As a point of departure, it is helpful to briefly illustrate how these differences emerge in official documents.

Member states, despite embracing a more comprehensive approach at rhetorical level, continued to prioritise security objectives in relation to migration. Meetings between the Council of Ministers and the Commission are generally known for hosting debates on how to proceed with migration matters, with justice and home affairs officials prioritising restrictive approaches as immediate objectives. European Council Conclusions are particularly telling in their reflection of member state preferences in this regard. Those of the 2002 Seville Council serve as a useful example. At the meeting, the issue of whether the EU should exercise leverage with third countries, more commonly known as conditionality, to implement or influence the change of particular policies and orientations was discussed at length. The Conclusions document emphasises cooperation with third countries as essential for smooth relations with the EU, and lack of it as potentially jeopardising these relations:

The European Council urges that any future cooperation, association or equivalent agreement which the European Union or European Community concludes with any country should include a clause on joint management of migration flows and compulsory readmission in the event of illegal migration. (Council 2002: 10)

These restrictive policies on readmission and joint management of migration flows are not discarded in Commission Communications. But the latter reflect a keenness to bring out possible synergies between sending and receiving countries under a more comprehensive framework. Based on the Seville Conclusions (as well as Amsterdam and Tampere), the Communication on *Integrating Migration Issues in*

*the European Union's Relations with Third Countries* emphasises the desirability of tackling, in the long run, the root causes of migration (Commission 2002a). Even though short-term, restrictive aims are also addressed, the Commission strived for incorporating broader objectives into political and social dialogue with partners, as well as constructively cooperating with them (ibid). Their *Policy Plan on Legal Migration*, for instance, suggests offering third countries better legal migration opportunities in order to take advantage of linkages between development and migration (Commission 2005b). The Commission, however, was limited in what it could implement in terms of legal migration because this matter remained under the Third Pillar following Amsterdam. Nevertheless, it was a component of the migration strategy that the Commission was pushing to have more competence in and to externalise in relations with third countries.

It is important to place intra-EU discussions within the context of migration concerns escalating in the Union's agenda in the early 2000s, and reaching their pinnacle in September 2005 when several hundred irregular migrants tried to climb the fences of the Ceuta and Melilla enclaves to enter the European Union. The incidents attracted a great deal of media and public attention. At EU level, they were seen as an impetus for introducing a new approach to migration (Boswell 2008). The UK Presidency organised a special meeting of heads of state and government in Hampton Court in October 2005, which then led to the adoption of what is known as the Global Approach in December of that year. But even though the unease following the Ceuta and Melilla incidents provided momentum for the adoption of the Global Approach, it is important to remember that its content and orientations had long been debated within EU circles. As illustrated in the above discussion, the Commission had employed the argument for a more expansive understanding of migration as a basis for gaining greater say in this policy area.

The *Global Approach to Migration: Priority Actions Focusing on Africa and the Mediterranean* (Council 2005b) crystallised the various policy options debated within EU circles, and it became the strategy that was endorsed by the Commission

as the embodiment of the external dimension. It also established, as reflected in its title, Africa and the Mediterranean as target regions. The Global Approach was designed to bring together a multiplicity of actors from origin, transit and destination countries, thereby shifting the location of parts of its implementation beyond the EU's borders. Work to be carried out under the Global Approach is divided between three levels: bilateral, regional, and global. EU bilateral relations are legally grounded in agreements between the EU and third countries—Association Agreements for non-candidates, and Stabilisation and Association Agreements for EU candidates. Regional arrangements, on the other hand, bring together states under geographical groupings for multilateral endeavours: the Mediterranean, the Eastern neighbours, or African, Caribbean and Pacific countries. As for the global level, it resonates with the international migration regimes that were discussed by various organisations in the 80s, which proposed that an integrated approach to migration ought to include international, non-governmental and civil society organisations. The Global Approach facilitates work with these kinds of actors through its *Thematic Programme for the Cooperation with Third Countries in the Areas of Migration and Asylum* (Commission 2006c). What all of this means, conceptually, is that the bilateral, regional and global levels are meant to complement one another to form a coherent and comprehensive approach to dealing with migration challenges.

Translating this framework into action, however, was a more difficult task. The priorities to be tackled in bilateral and regional relations are outlined in country and regional strategy papers, respectively. An Action Plan is then prepared for each country, and Progress Reports prepared to assess advancements on these fronts. Yet in putting these Action Plans and strategies into practice, the Global Approach suffers from what Geddes terms “differential empowerment” (2008: 20). The supranational level increasingly discusses and adopts decisions on migration policy, but has been limited in what can be implemented as action. This obstacle is most obvious in what concerns legal migration, an integral part of the Global Approach, but one over which member states retained competence post-Amsterdam. As a result, one of the ways in which the Commission has been most active is in cooperation

with international and other organisations through thematic lines, where government participation and formal agreements are not a requirement for the implementation of programmes. It confirms what Lavenex (2007) observes as an increasing Commission influence on the agendas of these kinds of organisations, and growing cooperation amongst them to implement migration-related goals.

If a more effective approach were to be adopted at EU level, it would imply the ironing out of obvious differences between the member states and the Commission on their preferred approaches to pursuing migration policy. The ratification of the Lisbon Treaty may hold some promise in this regard. The Treaty has eliminated the Union's three-pillar structure, and as such policies that were liable to inter-governmental decision-making (such as legal migration), are now subject to QMV and co-decision legislative procedures. The Union is to acquire a stronger legal personality, and an increased role for the Parliament and ECJ are expected to address previous drawbacks in decision-making procedures. Lisbon also strengthens the Commission's role in implementing the external dimension of migration policy; as outlined in the 2010 Stockholm Programme, which considers ways in which to more effectively implement and pursue the Global Approach (Commission 2010b). However, old procedures do not automatically come to an end upon ratification. Instead, they "remain in force until repealed, annulled or amended" (Carrera and Geyer 2008: 292). The way in which the Treaty's provisions will translate into practice is not yet clear, but some thoughts on this issue are provided in the Conclusion.

In the thesis, the analysis focuses on the way the external dimension was incorporated into the Commission's agenda in the pre-Lisbon era. The incorporation of migration policy responsibilities to the Commission's remit raises questions regarding implementation. We now turn to how developments in migration policy orientations at European level have reflected on relations with the Mediterranean, and more specifically Morocco. Morocco is later employed in the thesis to examine

how the Commission's DGs conceive of the external dimension and relate to specific implementation patterns.

### **1.3 Enacting migration policy: Morocco and the external dimension**

Morocco is one of the European Union's most important counterparts in the Mediterranean region, and a useful example for examining the implementation of the external dimension of migration. It is a country of origin of many of Europe's migrants, and a transit route for those travelling from other regions, mainly sub-Saharan Africa—in other words, of high priority for the European Union. Morocco constitutes an interesting illustration of the way in which migration concerns are incorporated into the EU's external relations agenda.

The EU's relations with Morocco fall within the framework of the Euro-Mediterranean Partnership (EMP) and the ENP, both of which structure cooperation between the two sides on a number of policy sectors including migration. Since 2008, Morocco has been engaged in strengthening its partnership with the EU through the establishment of Advanced Status (*Statut Avancé*), which is a framework for preferential relations in a number of policy areas (EU 2008). Even though migration had not yet been integrated into this framework at the time of writing, pending agreement on readmission issues between the EU and Morocco, it is nonetheless salient in the political agendas of both sides.

This section offers a brief synthesis of Morocco's migration history post-World War II parallel to the developments in Europe outlined in previous sections. Then, the way in which relations between the Mediterranean and the European Union have evolved will be outlined. These relations are enacted through the work of the Commission, and more specifically the DG in charge of external relations. The section will conclude with a summary of the present state of the external dimension with Morocco.

### *Morocco and migration*

Morocco's migration links with Europe pre-date the intensive labour recruitment that took place after World War II. Migration patterns started to be shaped through colonial ties, first with France and later with Spain. From 1830 onwards, following France's colonisation of Algeria, Moroccans seasonally and circularly migrated there to work in settlers' farms. They also took up jobs in industries and mines in France, and were recruited to the French army during the two World Wars (de Haas 2007a). After the establishment of the French-Spanish Protectorate over Morocco in 1912, migration flows followed partition lines, with Moroccans also being recruited to fight in Franco's army. Migration to Spain for work purposes, however, was limited (de Haas 2005, 2009).

Colonial migration patterns underlay labour recruitment schemes in some European countries in the aftermath of the Second World War (Castles and Miller 2009; Portes and Böröcz 1989). Moroccan migration to France increased in the lead-up and aftermath of Algeria's War of Independence (de Haas 2007a). In addition, after recruitment of workers from southern European states declined in the 1960s, European countries increasingly turned to Maghreb countries for workers. Morocco signed labour recruitment agreements with Western Germany, France, Belgium and the Netherlands between 1963 and 1969 (de Haas 2007b).

Restrictive policies introduced post-1973 as a result of the Oil Crisis had a negative impact on Maghreb sending states. For these countries, migration was a national strategy, in both economic and political terms. Emigration is a source of remittances for sending economies, and a way of easing unemployment pressures. In terms of development, government expectations were that skills that were acquired by migrants abroad could be re-invested locally upon return (Aghrout 2000; Collinson 1996; de Haas 2007a, 2007b; Fargues 2004). This rationale relied on an assumption of people's movements being circular and temporal, much like the guest worker notion in Europe (Castles 2006; King 1990), as well as on a match between skills acquired abroad and those needed at home (Collinson 1996).

On the political front, Morocco was selective on the regions from which it encouraged (or preferred) emigration. These were predominantly Berber (Rif, Sous and the south-eastern oases), and migration from these areas was seen as potentially defusing opposition against the government (de Haas 2007b). Hand in hand with this approach was the discouragement of Moroccan migrants' integration in host societies in Europe, with policies against the acquisition of dual citizenship, naturalisation and voting rights. This was linked to fears of expatriates organising opposition movements abroad, but also to the possibility that integration would lead to a decrease in the volume of remittances and investment in Morocco (de Haas 2007a, 2007b; Fargues 2004).

The assumption of the temporal nature of labour migration in the 50s and 60s was discredited following the unilateral termination of labour recruitment agreements by European governments following the economic recession in the 70s, as seen earlier in the chapter. Migrants became 'guests who stayed'. Some scholars argue that it was the imposition of restrictions that disrupted the circular character that migration had until then (Haas 2007a). People decided to stay in fear of not being able to return to Europe in the future if they so chose, especially since origin countries' economies had also been adversely affected by the recession. Others posit that by the time control measures were introduced, migrants had become somewhat integrated into host societies, through permanent employment, socialisation and the benefits they (partially) enjoyed from welfare systems (Castles 2006; King 1990).

Thus, instead of return, Moroccans participated in the new patterns of migration that became more prominent in the decades of the 70s and 80s: family reunification and formation. This situation put into question the efficiency of receiving governments' control mechanisms, but it also exposed the importance of social networks and informal connections for migration processes (Haas 2007a, 2007b; Hammar 1989; Portes and Böröcz 1989; Salt 1989). Yet despite the continuation of migration flows following the imposition of restrictions, sending governments were duly worried about the repercussions of the latter. Morocco suffered from the increase in oil



prices, changes in the global economic climate and rising unemployment, in addition to political instability following two failed *coups d'état* against the King in 1971 and 1972 (de Haas 2007b).

On the part of Europe, some debates in policy circles advocated the channelling of the Community's development aid to tackle the root causes of migration, as well as encouraging trade relations with Maghreb countries (Aghrout 2000; Bicchi 2007; Tapinos 2000). Development and trade relations with the Maghreb on behalf of the Community were conducted by the Commission's DG in charge of external relations.<sup>13</sup> At the rhetorical level, there was some degree of convergence between sending countries' national interests of linking migration and development, and the European Community considering this approach to ease migration pressures. But what predominated in relations with the Maghreb in the 80s were not development cooperation aims. Rather, priorities focused on commercial and security concerns.

European countries, in particular France, Spain and Italy, looked to build on their economic relations with Maghreb countries, thereby confirming the decreased importance of labour migration in their interactions. The European Community and its institutions also concentrated on commercial aspects, since the 1976 Global Mediterranean Policy had not so far been effective in advancing developmental aims (Aghrout 2000; Collinson 1996). Despite the evolution of relations in the commercial front, however, the accession of Spain and Portugal, as well as the signature of the SEA, heightened Maghreb countries' concerns on their standing vis-à-vis the Community. They feared that these developments would now jeopardise the advantages they had enjoyed in European markets (Aghrout 2000; Collinson 1996; Fontagné and Péridy 1997). New accessions were seen as having granted the

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<sup>13</sup> At the time, it was not called DG Relex but DG I. The structure of the DG changed at various points in time (Cini 1996).

Community a degree of self-sufficiency in areas where they had before relied on the Maghreb (Bicchi 2007).

Spain's incorporation into the Community also had other migration-specific effects on Morocco. Like Italy, it had not developed migration control mechanisms and had no visa requirements for Moroccans. Both of these countries turned into new destinations until restrictions were introduced in the early 1990s (Haas 2007a). There were concerns at the European level regarding the stability of these neighbouring regions, especially after the borders of the Community changed with accessions in the 80s, and the increasing linkages between migration and security in policy discourses post-Cold War.

*The Mediterranean and the phases of European integration*

Prior to Amsterdam, European Community institutions played a limited role in migration issues. Member governments engaged in discussions within fora such as the Trevi Group, or the Ad Hoc Working Group in Immigration, but migration policy remained within their competencies even in the aftermath of the Maastricht Treaty. The role of the Community towards Morocco, and the Mediterranean more broadly, was limited to commercial and trade relations, and to a lesser extent financial and social issues, such as the conditions of migrants in host European societies (Aghrout 2000).

The Community institutionalised relations with the Maghreb region at the end of the 1960s, through a number of trade agreements. The Treaty of Rome had stipulated that preferential relations could be maintained between certain member states and their former colonies. The Commission was given a mandate to negotiate these trade agreements, but their limited scope led to the rethinking of the Community's approach to neighbours, and the launch of a Global Mediterranean Policy (Aghrout 2000; Collinson 1996). This new approach included, in principle, a more

developmental approach to countries of the Mediterranean, and put countries in the area under a regional grouping.

With changing priorities and perceptions in what regards migration issues, security concerns and links to development, the Community again reassessed the importance of relations with Mediterranean countries in the run-up to and beginning of the 90s. The 1992 Lisbon European Council Conclusions emphasised the importance of the Mediterranean's stability, in particular in terms of economic and social conditions (Council 1992b). The Commission and Spain, France and Italy were particularly interested in establishing stronger ties with the region (Bicchi 2007). The Euro-Mediterranean Partnership was then launched in 1995, and it became a framework for relations with Mediterranean partners on three fronts: political, economic and socio-cultural. Relations were stipulated to operate at both, a multilateral level through a regional approach, and a bilateral level for more specific relations with individual countries. The broader aims of the EMP are summarised as “strengthening of democracy and human rights, sustainable and balanced economic and social development, measures to combat poverty and promotion of greater understanding between cultures” (Commission 1995). Ultimately, the Community had an interest in reducing socio-economic gaps with its neighbours, and to protect itself from instability perceived to stem from there (Volpi 2004).

In terms of migration, the Mediterranean, and in particular North Africa, was and continues to be a region of origin and transit of migrants. With migration being under inter-governmental competence at the time of the Declaration due to the stipulations of the Maastricht Treaty, however, its presence as an issue-area to be tackled through EU-Mediterranean relations was not particularly salient. Migration was only mentioned in passing in relation to the need for job creation and the provision of vocational training opportunities in countries of origin (Commission 1995)—areas over which the Commission had competence: social policy and development cooperation. There are, however, references to cooperating on matters of irregular migration, which comprises readmission agreements and the adoption of appropriate

measures of migration control. These, however, remained under the remit of member states.

Migration control was seen as important because of the EMP's long-term objective of establishing a free trade zone between the EU and the Mediterranean. The Commission was given a mandate to negotiate Association Agreements with third countries, which serve as the legal basis for relations with them and reflect the priorities of the different EMP chapters. Establishing a free trade area invariably poses the question of the movement of people. In as far as migration is concerned, even though it was formally excluded from discussions, there was an emphasis on capacity building for, and implementation of, restrictive control measures.

This emphasis on control was the dominant approach through the 1990s, when member states engaged in consultations and discussions on how to deal with migration away from public scrutiny (Boswell 2003). Priorities were pursued in their bilateral relations. Spain, for instance, signed a readmission agreement with Morocco in 1992 (Collinson 1996). There was consensus among member states that unwanted migration needed to be reduced, and that joint action should be taken to achieve this aim (Aghrout 2000). This position was reflected in Morocco being one of the countries chosen for a HLWG report, and in which preparation participated officials from justice and interior ministry backgrounds from member states, in consultation with development and external relations experts from the European Commission (Geddes 2008).

Despite its intended objective of departing from the focus on restrictive objectives that characterised member state cooperation, the resulting HLWG Action Plan incited quite a negative reaction from the Moroccan government, as it had not been consulted on the content of the Plan, and it asked to be included in redrafting the document. Furthermore, the content of the Plan was criticised for not taking greater consideration of development considerations and their linkage to migration (van Selm 2002). This situation was telling of the intergovernmental approach to JHA issues still operational at the time, and the dominance of security concerns as

emphasised by member state governments. With the ratification of the Amsterdam Treaty, however, the Commission came to play a greater role, facilitated by the content of the Tampere Conclusions.

*The external dimension today*

The early 2000s brought substantial changes to the way European migration was dealt with, as well as new issues arising from the Union's accession of ten new countries in 2004. In addition, highly publicised events such as the Ceuta and Melilla incidents in 2005 gave impetus to new Commission initiatives to integrate and implement the external dimension. The Mediterranean continues to be a region of focus, and Morocco became increasingly central in the EU's external relations in what concerns migration. Developments in relations with the Mediterranean took place on two levels: with amendments to the Euro-Mediterranean Partnership, and with the establishment of the European Neighbourhood Policy. Both of these frameworks were managed, negotiated and implemented by the Commission's DG Relex in the period covered by the thesis, and they constitute a testing ground for examining how the external dimension unfolded.

The ENP was launched in 2004 as an attempt to respond to the perceived challenges of enlargement, as we saw in the Introduction. It incorporates the Mediterranean within its working framework and was set by the Wider Europe Communication of March 2003 (Commission 2003b). The rationale was to strengthen relations with neighbours who do not have the prospects of becoming EU members, partly based on the accession model. It also responds to the priorities set by the 2003 European Security Strategy, which links development and security, and calls for finding ways of dealing with common challenges through multilateral cooperation (Council 2003). One of these challenges is of course the issue of migration.

The ENP was launched in the context of ongoing efforts to draw the external dimension of a common European migration policy, later embodied in the 2005

Global Approach. It also introduced a new approach to third countries by offering them the possibility of participating in EU bodies, and allowing them greater say in the policies to be implemented, with particular focus on those related to having a stake in the EU's Internal Market (Commission 2003b; Del Sarto and Schumacher 2005). This approach was based on an incentives structure proposed by the Commission to achieve cooperation, partnership and ownership of policies by third countries. These incentives are what the external governance literature would term as conditionality to achieve EU objectives.

Incentives related to migration under the ENP framework are said to have the long-term aim of opening labour markets across the Mediterranean for managed migration; professional and language training of migrants before departure; reinvestment of skills in countries of origin; fostering of circular and return migration; and supporting Diasporas to contribute to the development of their countries of origin (Commission 2005b, 2006b, 2007c). Policies towards the Mediterranean have progressed over time from focusing mostly on financial and commercial priorities to integrating more comprehensive migration policy objectives. Measures under the ENP closely follow proposals for tackling security, root causes and migration management goals.

Morocco is one of the countries described as being most open to the ENP, in addition to being the highest recipient of European Community aid (Commission 2004c). This framework has benefited Morocco because it departs from the focus on regionalisation that is more prominent in the EMP, and which is seen as having compromised the success of relations with the Mediterranean in the past. Under the Barcelona Process, countries were concerned with how their bilateral relations would be affected by forming part of a regional grouping (Aghrout 2000; Volpi 2004). This issue was tackled by the ENP in allowing for differentiation of relations. Morocco in particular conceived of itself as closer to European countries due to its economic and internal structures, and strived for special links with European partners (Aghrout 2000).

As for the Euro-Mediterranean Partnership, it also came to incorporate migration priorities more systematically. At the 2005 Barcelona Summit, a new chapter was introduced on *Migration, Integration, Justice and Security* (Council 2005a). Even though the possibility for strengthening relations between Mediterranean countries and the EU was made more attractive by incentives offered under the ENP framework (Del Sarto and Schumacher 2005), there was also the continued aim of strengthening region-building in order to deal with migration challenges with Mediterranean countries as a group (Gillispie 2006). The EMP was re-launched as the Union for the Mediterranean (UfM) in July 2008 in an effort to invigorate relations with the region on policy areas of interest (Council 2008). Areas for cooperation have been included gradually, and migration had not yet become part of the UfM at the time of writing. However, it was one of the policy areas where cooperation was envisaged in the future (ibid).

At the political dialogue level, Morocco has shown a high degree of commitment to migration-related initiatives with the EU. Even though it has been reluctant to engage in multilateral endeavours, it was one of the main counterparts in (in fact, founders of) the 2006 Rabat Process, which brought together countries of origin, destination and transit, and was congruent with the spirit of the Global Approach in advocating a comprehensive line to tackle migration concerns. Morocco, in its bilateral relations with the EU, is also engaged in programmes to implement greater controls on migration flows (Johansson-Nogués 2004; Occhipinti 2007), and recipient of high levels of development aid—some of which targets issues seen as tackling the root causes of migration. There remains, however, the issue of a readmission agreement, which Morocco is reluctant to sign, and the granting of more legal migration opportunities for Moroccans, limited by member state control over this aspect.

Despite certain hindrances to the implementation of all aspects of the Global Approach into relations with Morocco, the above discussion is useful in bringing out the way in which migration policy is increasingly becoming part of the EU's external relations with the country (managed by DG Relex in particular), and how the

Commission has been attempting to create a space for the pursuit of policy orientations, and for gaining greater competence to implement them.

## **Conclusion**

In 1999, the European Union endorsed a common immigration policy that it aimed to integrate into relations with third countries. This approach, which was to be implemented by the European Commission's DGs, encompassed various policy priorities—irregular migration control, legal migration management, and the fostering of links between migration and development. It also came after significant changes in the way this issue-area was handled at European level, and it signified that the Commission, which had been previously sidelined in migration policy initiatives and decision-making, came to play a more prominent role.

The chapter outlined how the Commission had consistently tried to gain greater say in migration policy by advancing that it impinged on its ability to carry out its functions in other policy areas. Despite the hermetic nature of state cooperation in the 1970s and 80s, the Commission maintained that the migration policies adopted by member governments impinged on its social policy initiatives and the implementation of provisions for the internal market (Callovi 1993; Ugur 1995). It also advocated the desirability of considering alternative approaches to dealing with migration concerns—through external relations and development cooperation, areas in which it was involved. From an organisational point of view, these efforts are significant because they point towards the Commission's attempts to become more influential based on functions it already performed. They also illustrate the various areas in which the organisation was active.

When cooperation was institutionalised as part of the JHA Pillar, the Commission adopted a pragmatic stance, recognising member states' concerns in terms of migration control. But it also highlighted the need for considering integration and development goals (Geddes 2008), and later criticised the decision- and policy-making structures imposed by the EU's three-pillar structure that hindered its work



as an organisation. Once it was granted a more prominent role to play with the Amsterdam Treaty, the Commission was keen to endorse more comprehensive objectives, reflected in the breadth of the Global Approach to migration. These objectives are consistent with the range of DGs that were to be involved in the implementation of the external dimension of migration, and again a reflection of the various policy orientations housed within the Commission.

In the final section of the chapter, Morocco is employed to illustrate how Europe's migration history was reflected in external relations, and how advancements in European integration translated into interactions with this partner government and the Mediterranean more generally through the work of the DG in charge of external relations.

The next chapter will provide a theoretical framework for understanding the way in which the European Commission incorporated migration priorities after gaining competence in them. The theoretical framework, based on an organisational sociology approach, acknowledges the implications of the Commission holding responsibility for various policy areas through its DGs, and its preferences for policy implementation.

## **Chapter 2 - The Commission's organisational culture: A theoretical framework**

The previous chapter outlined the evolution of European migration policy and contextualised the way in which the European Commission tried to gain competence in this issue-area at various points in time by linking it to responsibilities it already had. Along with providing a background for the analysis, the chapter aimed at identifying ways in which the organisation sought to expand its role in, and influence over, various aspects of migration policy. The rest of the thesis now moves from the processes underlying the Commission gaining competence over migration to what happened after: how the organisation related to new policy objectives, how it responded to remit changes, and the related implications on policy output. I propose that the way the Commission's DGs interpreted, incorporated and implemented policies and initiatives post-Amsterdam can be explained by employing organisational sociology, and in particular the concept of organisational culture. This concept relies on the idea that actors (organisation members) develop particular ways of thinking about policy objectives and their implementation relative to their sectoral areas of expertise.

I shall argue that by looking in close detail at organisational culture and its implications, we can gain a better understanding of how an organisation operates at times of change, and what happens to policies once they are adopted. The Commission's inclusion in the migration policy scene provides an opportunity to examine these issues. The changes introduced by the Amsterdam Treaty meant that the Commission was to adopt new responsibilities across a number of its DGs that had remits related to migration priorities. In other words, actors charged with portfolios covering different sectors—development, external relations, and justice and home affairs—were to make sense of new policy objectives in relation to their

areas of expertise. In the thesis, I focus on the external dimension of migration as a lens for exploring organisational culture and how it informs actors' interpretation of objectives, the incorporation of these objectives into the organisation's workings, and the implementation of initiatives with Morocco.

An organisational analysis angle adds a new dimension to mainstream accounts that present the pursuit of the external dimension as an example of norm diffusion and policy transfer. The external governance literature, which was reviewed in the Introduction, explains the external aspects of migration policy as a continuation of internal processes of European integration. In doing so, it takes EU rules at face value, makes assumptions about EU actors systematically translating these rules into actions, and proposes that external action concentrates predominantly on the security-related aspects of migration. I propose that employing organisational sociology challenges these assumptions by adding depth to EU rules, shedding light on how different actors within the Commission make sense of migration policy and the particular approaches they favour for its pursuit.

The chapter will begin by providing a synthesis of the theoretical tools offered by organisational sociology that are useful for studying the European Commission. The second section defines organisational culture and the concepts that will be employed in the analysis of the Commission's DGs. Based on these concepts and definitions, the third section will present a theoretical framework for empirically analysing DGs JLS, Relex and Dev in subsequent chapters. The final section will detail the project's research design, methodology and data collection methods.

## **2.1 What does organisational sociology offer?**

Organisational sociology has mainly developed in the field of sociology, but it has also been employed in political science to study political organisations and decision-making processes (March 1988; March and Olsen 1984, 1989; March and Simon 1993). I employ organisational sociology as it is significant to the European

Commission as a political organisation, in charge of policy processes and output for the external dimension of migration policy. Two of the emphases of the approach employed in the thesis are on the usefulness of disaggregating institutions in order to understand the dynamics of policy processes and the factors that underlie policy output; and on the role of actors within organisations. In this section, I first contextualise organisational sociology and synthesise some general theoretical tools that it offers for the study of political organisations and policy processes, and I then present them in relation to the study of the European Commission.

*The theoretical tools of organisational sociology*

Organisational sociology developed within broader efforts in the social sciences to emphasise the role that institutions and their processes play on political and social phenomena. Institutions and organisations began to be brought back into analyses in a number of disciplines such as political science (March and Olsen 1984; Hall and Taylor 1996), international relations (Keohane 1988; Kratochwil and Ruggie 1986) and sociology (DiMaggio and Powell 1991a, b; Rowan and Meyer 1977), as well as anthropology, economics and law (see Scott 2008 for an overview). The re-emergence of an interest in institutions constituted a reaction to behavioural approaches to the social sciences that were dominant in the 1950s, 60s and 70s (Hall and Taylor 1996; March and Olsen 1984; Scott 2008). Even though between and within disciplines different variants emerged for studying the role of institutions and organisations, they all agreed on the premise that these mattered, and that their impact ought to be accounted for.

In political science specifically, the concern with the influence that institutions and organisations have on political outcomes falls under new institutionalism, and it has three variants: historical, rational choice, and sociological. Organisational sociology is considered to fall under new institutionalism's sociological branch, and it has strong roots in sociology. Sociological approaches to the study of organisations and institutions included a wider array of factors than political science analyses had

traditionally done (Hall and Taylor 1996). Drawing from these sociological approaches, political scientists such as March and Olsen argued that it was necessary to develop theories on the place of institutions and organisations in political life because “most of the major actors in modern political and economic systems are formal organizations, and the institutions of law and bureaucracy occupy a dominant role in contemporary life” (1984: 734). Others, such as Herbert Simon, questioned the rationality until then attributed to political institutions and argued for more accurate accounts of actors’ rationality within their organisational environments (March and Simon 1993; Scott 2008). By putting forth these propositions, organisational sociology counters rational choice explanations of institutional functioning “based on strictly defined rational action, interactive games and mathematical aggregation” (Favell and Guiraudon 2009: 556). It rejects the idea of taking organisations at face value, or seeing them as being created in order to satisfy pre-defined objectives and to function in a systematic manner to achieve them.

In the thesis, I employ organisational sociology as is relevant for the study of political organisations, drawing from works in both political science and sociology. I argue that this body of literature offers theoretical tools that allow us to study the internal dynamics of organisations, such as the European Commission, beyond officially declared objectives, and provides a more accurate picture of how these function on a day-to-day basis and at times of change in policy responsibilities. In particular, I have extracted three main factors from organisational sociology scholarship, which I will argue are essential for understanding policy processes within the European Commission: *actors’ perceptions and cognition*, *institutional structures*, and the sectoral and/ or political *environment* in which they exist (DiMaggio and Powell 1991a, 1991b; Meyer and Rowan 1977; Olsen 2003). Below, I synthesise how organisational sociology portrays these three factors, and what they contribute to an understanding of organisational functioning more generally.

The first factor is the role of actors, or members of an organisation. *Actors’ cognitive processes* allow them to recognise the normative expectations embodied in the

formal structures of their organisation, and to establish sets of informal norms and practices (DiMaggio and Powell 1991a; Egeberg 2004). Actors perceive, interpret and evaluate their working environment, both internal and external (Brunsson 1985). Through these cognitive processes, individuals, “collectively, give meaning to what they are, where they are, and what they do” (Cini 2000: 75). The organisation is therefore seen as constituting its members in a way that shapes how interests are defined and pursued (DiMaggio and Powell 1991a). The result of these processes is the creation of administrative cultures within organisations that underlie institutional activity. Therefore, there is a process through which actors interact with their remit and adapt to expectations once policy decisions are taken or changes are introduced.

The creation of organisational frames of reference counters the presumption that responsibilities will be pursued following particular practices, myths and ceremonies that match rational expectations (Meyer and Rowan 1977). In sociological approaches, (assumed) organisational coherence is broken down to acknowledge organisational identities as a representation of a plethora of interests within complex political organisations. Therefore, organisations are not smoothly functioning machines, but are rather composed of sets of distinct formal structures that reflect sometimes divergent goals and objectives.

This last point leads to the second factor accounted for in organisational sociology: *institutional structures*. Brunsson (1985, 2002) argues that it is desirable, or even necessary, for organisations to sometimes harbour differences within institutional structures in order to ensure survival, and secure legitimacy for performing their role from the environment in which they function. This could especially be argued to be the case in organisations that are composed of several departments or sub-units, and that cover different policy sectors of institutional activity, such as the Commission. Their formal structures reflect a certain degree of irrationality, which challenges the view that institutions are bound to be internally coherent (Cini 1996; DiMaggio and Powell 1991a).

Institutions that bring together various interests, approaches and sectors do so in order to accommodate different demands, both normative and from the environment in which they operate. This tension is explained in organisational analysis as the mismatch between politics, on the one hand, and administration or day-to-day functioning, on the other (Meyer and Rowan 1977). Organisations that are composed of a number of sub-ideologies may be represented by divisions according to sectoral responsibilities, for instance. These divisions respond to demands from the environment through the very structure of the organisation housing them, through decisions and symbols produced, and in the rhetoric—the level of politics.

At the level of administration, however, these divisions will mean that the sub-units representing particular policy sectors will develop administrative cultures depending on their responsibilities, mainly through actors' cognitive processes. It is then that it becomes more difficult to coordinate and implement organisation talk—the political—at the level of administration (Brunsson 2002: 130-136), and to reconcile the various interests embodied in the organisation. Sub-ideologies are likely to clash at times of implementing particular policies:

Insoluble problems are a splendid vehicle for the reflection of many ideas and values. They can be endlessly discussed from all sorts of angles and without ever reaching a conclusion.  
(ibid: 23)

It is precisely because of the potential for divergences to arise within organisations that sociological approaches warn against the assumption that the adoption of particular decisions will result in cohesive translation into output. By taking this observation into account, the focus shifts to the way administrations actually function on a day-to-day basis and how their dynamics shape organisational life. Allowing for the possibility of interpretation and divergence challenges the notion that administrations are depoliticised, highly specialised, impartial and disciplined, resonant with a Weberian perspective of bureaucracy (Coombes 1970). According to this latter view, administrations are assumed to be able to perform their prescribed function efficiently and effectively. This presumption is, for instance, implied in the

external governance literature. Organisational critiques, however, acknowledge the presence of ‘dysfunctions’, or ways in which administrations perform their remit in a manner that may not match rational expectations. The political and administrative dimensions are held together by the development of departmental identities, informal norms and an understanding of how to deal with decision-making requirements (Brunsson 2002; Coombes 1970).

The third factor that organisational sociology stresses is actors’ sectoral and/ or political *environment*. In addition to the normative and structural input to actors’ cognitive processes, organisations and their sub-units are also responsive to their environment (Olsen 2003; DiMaggio and Powell 1991a). The environment can be understood as the sectors and fields that organisations work in, and/ or the relations they may have with other organisations and relevant actors. Sectors and fields are seen as creating “the lenses through which actors view the world and the very categories of structure, action and thought” (DiMaggio and Powell 1991a: 13). Other organisations and actors can also be seen as constituting the environment, either as ‘the other’ against which an institution or its sub-units define themselves, or as interlocutors, target audiences and sources of influence, legitimacy and support.

There is some disagreement in the organisational sociology literature over the effect that the environment can have on an organisation. On the one hand, there are those who argue that actors within organisations will read cues from the environment and interpret them in relation to existing structures and working procedures (Brunsson 1985; Olsen 2003). This reading will be based on an already-existing administrative culture. There are others who contend that external influences can lead to changes in organisational goals, and that organisations can sometimes become isomorphic with their environment, either coercively, as a response to uncertainty (mimetically), or normatively (DiMaggio and Powell 1991a; March and Simon 1993). What both of these positions do acknowledge, however, is that organisations are receptive to their environment. The sectoral/ political environment is an element to take into account



when analysing organisational functioning, and one that is not sufficiently addressed in external governance accounts that take the Commission to pursue *EU* interests.

*Organisational sociology and the study of the European Commission*

There is an emerging literature that has begun to examine the Commission by taking into account its internal dynamics and the way these impinge on structural change and reform, policy-making, and day-to-day processes in general (see for instance Boswell 2008; Cini 1996, 2000, 2001; Cram 1997; Egeberg 2004; McDonald 2000; Nugent 2000; Shore 2000). These approaches often reflect a rejection of conceiving of the Commission as a rational and cohesive institution, and look beyond the normative expectations of the organisation's role (either as a translator of member state priorities, as enactor of 'European' interests, or as externalising internal priorities). They examine what happens within the Commission once decisions are adopted, and their approach resonates with the propositions of organisational sociology. Here, I offer a reading of the literature on the European Commission's functioning around the three factors summarised above—institutional structures, actors' cognitive processes, and political and/ or sectoral environments. I discuss the way these three factors have been treated in the literature, what they have illuminated about internal organisational dynamics, and their suitability for studying the Commission.

The Commission's institutional structure reflects one of the basic factors of organisational sociology: it includes a wide range of responsibilities and interests. The DGs represent a variety of policy sectors under the overall Commission umbrella. This set-up is consistent with Brunsson's (2002) idea that organisations sometimes harbour a degree of incoherence within them in order to be able to meet different demands and expectations from the environment. The combination of interests is illustrated in the portfolios endorsed by DGs: justice and home affairs, environment, competition, development, social affairs and employment, and external relations, to name a few. Authors such as Cini (2000) and Cram (1997) suggest that a

more accurate description of the Commission would be as a set of institutions, or as a multi-organisation, respectively.<sup>14</sup>

Adopting an organisational sociology lens, the existence of a set of units within the Commission that handle specific policy sectors means that these will develop particular administrative identities in relation to their remit and function. DGs have “idiosyncratic sub-cultures, *esprit de corps* and institutionalized perceptions of appropriate problems, solutions and expertise” (Trondal 2007: 963). Divergent identities, grounded on the way the Commission is organised, underlie intra-organisational sources of divisions (Egeberg 2004; Nugent 2000), and lines along which policies are incorporated.

In the thesis I argue that it is at points of change to responsibilities (when the Commission was given migration responsibilities), and at times when a particular policy is to be incorporated across sectors (the external dimension), that organisational functioning can best be observed, and external governance approaches be complemented and enriched. The adoption of EU migration policy has not been straight-forward because of divergences within the Commission. DGs JLS, Relex and Development have had different reactions to incorporating new goals to their remits, and have interpreted them according to their organisational preferences (Boswell 2008). Differences between DGs in their prioritisations of policy have been observed in other instances, with Competition and Environment being a case in point. The nature of the former policy sector very much shaped the assumptions of officials working in the DG, who saw clear virtues in fostering a competitive industrial environment. Environment officials recruited at the time of the DG’s

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<sup>14</sup> Viewing the Commission as a set of institutions or a multi-organisation is consistent with approaches that suggest that bringing together responsibilities helps maximise objectives, assuming smooth running and coordination of composite units. However, these concepts are employed here to map divergences underlain by the Commission’s structure that are linked to organisational functioning and the incorporation of new responsibilities and objectives.

creation, on the other hand, were environmentalists. Their prioritisation of policies was not always in line with other DGs' interpretations that were based on competitiveness, and this was seen as problematic. This asynchrony resulted in "a conscious attempt by administrative elites within the Commission to alter the ideology of the DG [Environment]" (Cini 2000: 88).

The incorporation of objectives and policies, therefore, happens in a context of DGs' organisational identities, for which actors' perceptions of their policy areas are central—another factor summarised above. Studies of the Commission suggest that DG officials, especially those on permanent posts, develop a stronger sense of belonging to their DGs (Egeberg 2004). Different sources of officials' identification have been examined, such as nationality and language, professional considerations, sectoral unit or department, and the overarching organisation, to name a few (see for instance Abélès, Bellier and McDonald 1993; Herrmann and Brewer 2004; Laffan 2004). Identity derived from belonging to a DG generally emerged as quite significant in these studies. For instance:

The behaviour and strategies of staff are contextually tied to a sense of belonging to a particular DG. The fact of belonging to a DG, the relative management of time and memory, a sense of sharing key concepts and an awareness of the lines of demarcation which construct the individual: all of these aspects define a person and his or her 'competence' within the institution. (Abélès, Bellier and McDonald 1993: 30)

In organisational accounts, actors' role is portrayed as one of interaction with organisational objectives once they are adopted at the legal and institutional levels. Actors' participation in policy processes, through time spent in their respective unit and involvement in its everyday functioning, are thus essential to the formation of their (and the unit's) organisational identity. The functioning of the Commission's DGs is in turn expected to respond to the shared meaning, values and interpretation of individuals working in them, their cognition of normative expectations, and their relation to sectoral responsibilities (Cini 2000; DiMaggio and Powell 1991a). In

order to understand internal Commission dynamics, therefore, it is necessary to pay attention to the level of actors and how they make sense of policy objectives.

Coombes (1970) qualified Commission officials' engagement with their role by suggesting that the policies they are involved in are a factor in determining their level of commitment. Organisational activity that demands creativity, and reflection on organisational goals and purpose, tends to nurture stronger administrative identities. The relation between the services and the Commissioner's cabinets is a clear indication of this, a relationship usually characterised by tensions and disagreements (Egeberg 2007; McDonald 2000; Nugent 2000). DGs are involved in the everyday aspects of policy development and implementation of priorities, and tend to be protective of their expertise and influence on these processes. DG officials sometimes see Commissioners' cabinets, for instance, as possibly sabotaging their work, and have developed ways of trying to counteract their influence by withholding dossiers for as long as possible before meetings (Abélès, Bellier and McDonald 1993).

These informal ways of working around constraints are common in the Commission, and they dispel the assumption that organisations function according to discernible patterns and expectations. In considering their DG's remit, officials make sense of the formal structures of the organisation and pre-determined goals. But they also operate through a system of informal structures that are widely acknowledged in the literature (Abélès, Bellier and McDonald 1993; Cini 2000, 2001; Hooghe 2005; Laffan 2004; Rosamond 2007; Shore 1996). Officials in the Commission are aware of internal organisational dynamics, and acknowledge that there is an important parallel dimension where networking takes place, decisions are taken and arrangements made (Hooghe 2005; Shore 1996). These informal connections are not only significant within the Commission, but are an important element even in terms of transnational or inter-organisational connections (Favell and Guiraudon 2009).

This last point relates to the issue of the Commission's sectoral and/ or political environment, the third factor synthesised from the organisational sociology literature.

DGs do not work in isolation. Their environment is composed of other DGs within the Commission, intra-organisational working groups and committees, and relations with interlocutors in member states and with third country governments. DGs also interact with interest and professional groups, trade unions, social movements, the media and other organisations depending on the policy area covered (Egeberg 2004; Favell and Guiraudon 2009; Laffan 2004; Lavenex 2007; Lavenex, Lehmkuhl and Wichmann 2009; Mazey and Richardson 1996, 2001).

Relations with different stakeholders can exert pressure on the Commission's DGs, and even underlie conflict between them on particular stances: interior ministry concerns regarding migration movements will most certainly clash with business groups' demands for easier legal migration provisions for workers from certain professions, and groups advocating rights of migrants. The interaction of DGs with these interest groups is part of their functioning within particular policy sectors, but also a source of legitimacy for their role and approach. Some authors go a step further and suggest that the processes taking place in the Commission's environment, both internal and external, sometimes pave the way for the expansion of its competence, or have already been taking place before becoming institutionalised (Cram 1997; Turnbull and Sandholtz 2001).

The picture that emerges through an organisational sociology reading of the Commission is one that suggests that internal dynamics are important for understanding the organisation's functioning and policy processes. This reading also sheds light on the complexity of the Commission as a political organisation. I argue that it is essential to account for the way actors make sense of their DGs' function, particular policy orientations, and relations with the sectoral and political environment to understand how the Commission has incorporated the external dimension of migration. The next section defines the concepts that will be employed in the thesis to examine this policy.

## **2.2 Organisational culture: Definition and concepts**

There are different avenues for exploring the internal organisational dynamics of the Commission. As seen above, studies have covered a number of possible angles: assessing how remit feeds intra-institutional differences, the effect of actors' perceptions and cognition, and the importance of informal structures and the environment. The proposition I make is that these angles can be grouped under the concept of organisational culture, which application would contribute to an understanding of the Commission's functioning, particularly at times of change and adoption of new responsibilities such as the external dimension of migration.

Employing organisational culture to look at the Commission is not a new endeavour, and definitions of the concept are broad and varied. Anthropological studies have taken culture as the Commission's composition in terms of nationality and language (Bellier 2000; McDonald 2000). These approaches aimed at better understanding how these factors impinged on the process of Europe-building, or the way objectives are perceived and translated into action depending on particular backgrounds. In political science and public administration, culture has referred to actors making sense of the functions and remits of their DGs (see for instance Boswell 2008; Cini 2000; Egeberg 2004; Nugent 2000; Trondal 2007).<sup>15</sup>

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<sup>15</sup> The concept of organisational culture has most predominantly been employed in two other disciplines: organisational studies and cultural anthropology. Organisational studies are linked with the fields of management and business; culture is seen as a factor that in theory, if handled properly, can lead to more efficient performance. For a general account of this approach, see Smircich (1983). This angle was applied to the Commission in the 1990s in response to the divergences at multiple levels seen as impinging on organisational functioning and output (see Abélès, Bellier and McDonald 1993). It was also the rationale underlying the Kinnock reforms introduced following the resignation of the Santer Commission in 1999 (see Cini 2001). In cultural anthropology, the definitions and assessments of organisational culture are wide-encompassing. Cultural anthropology provides a number of typologies for examining organisational culture that correspond to different schools: organisations as socio-cultural systems, and organisational cultures as systems of ideas. In both of these cases, organisations are represented as dynamic and constituted of actors who interact, or are affected by, the institution they are part of. For a comprehensive synthesis of these typologies see Allaire and Firsirotu (1985).

Building on organisational sociology and the discussion presented in the previous section, I define organisational culture as *the common organisational identity of actors, the shared perceptions and prioritisations of the organisation's remit and function in relation to policy objectives, and the resulting implementation practices*. I argue that organisational culture is composed of these three elements. The first, *organisational identity*, is based on the way actors internalise what their organisation is meant to do. The second are the shared *perceptions and prioritisations* of policy resulting from a political organisation or unit's identity, which impinge on how actors interpret objectives and pursue new requirements in relation to the portfolios they hold. Finally, *implementation* refers to the way organisations translate political objectives into practices. For the three elements of analysis, focusing on actors within organisations is central for gaining a better understanding of what happens once policies are adopted at official level and how they are translated into output.

The external dimension of migration is a suitable policy for applying organisational culture because of two main reasons: it was a policy introduced across a complex organisation composed of different (sectoral) sub-units, the DGs, and it represented a change in the responsibilities of DGs involved. Actors within these DGs were instrumental for making sense of new responsibilities and how to integrate them into their working practices. The organisational structures within which they operated were varied in their remit and focus. The portfolios of the DGs involved in the external dimension ranged from justice and home affairs (JLS), to external relations (Relex) and development cooperation (Development, AIDCO). A single policy (the external dimension) was internalised and implemented through these different organisational lenses. The assumption I depart from is that divergences emerge between DGs because of the way actors within them make sense of their remit and translate it into practice, despite them being part of the same overarching organisation—the Commission. The Commission, because of its DGs and responsibility for various policy portfolios, harbours divergent organisational cultures.

Below, I examine the three elements that constitute my definition of organisational culture in relation to the literature on the European Commission: organisational identity, perceptions and prioritisations of policy in relation to remit, and implementation patterns.

### *Organisational identity formation*

Identity formation within organisations tends to be conceptualised as a two-way process. On the one hand, members of institutions are seen as absorbing norms and rules; they become socialised. Hooghe (1999, 2005) carried out extensive research to assess whether Commission officials had been socialised to identify with international norms and a sense of European identity, as opposed to intergovernmental preferences. Increasing identification with ‘Europe’ had been theorised by Ernst B. Haas with his expectation of ‘shifting loyalties’, or Karl W. Deutsch’s ‘sense of community’ as European integration progressed (Risse 2005). Anthropological studies have also taken this slant, analysing Commission officials on the degree to which they are affected by national or supranational spheres, or previous civil service experiences (Bellier 2000; McDonald 2000). The latter resonates with public administration approaches that gauge the extent to which officials’ national administrative traditions affected the pursuit of Community objectives (Egeberg 2004, 2007; Trondal 2007). In public administration, recruitment characteristics, as well as officials’ time dedicated to a particular institution, were seen as informing officials’ identity formation, and their belonging to an overall organisational culture.

The above-cited studies coincided in that DG officials actually derive the strongest sense of organisational identity from their remit and function. They seem to develop particular policy styles, working procedures, and interpretations of policy objectives (Cini 2000). They also tend to be protective of their spheres of influence, and there is even some evidence of competition amongst DGs over the ownership of particular policy areas (ibid). From an organisational analysis perspective, shared readings of



remit and function within DGs would justify the expectation that they develop divergent organisational identities. The sector or characteristics of organisations are a source of institutionalisation of shared views and the basis of adaptation to particular policy practices (Olsen 2003; DiMaggio and Powell 1991a). Organisations divided into sub-units that hold different responsibilities tend to lead to compartmentalisation of socialising experiences and internal fragmentation (Hooghe 2005).

Fragmentation in the Commission becomes more visible when examining DGs in detail. In their anthropological study of the Commission, Abélès, Bellier and McDonald (1993) provided a very interesting characterisation of a number of DGs. The authors described DG Regional Policy's officials, for instance, as being aware "that their task is to promote the redistribution of wealth and solidarity in a world dominated by liberal views about competition and the free market" (ibid: 11). Regional Policy is likened to Development in its ethos, with one operating internally and the other externally. Regional Policy, however, had a problematic relation with DG Competition, perceiving the latter as causing problems for them. These examples not only bring out a sense of how actors' identities are forged by belonging to an organisational sub-unit, but also how divergent organisation identities can clash when policies have to be incorporated across the overarching organisation. How does identity impinge on actors' perceptions and prioritisations?

#### *Actors' perceptions and prioritisations*

The Commission harbours a number of organisational identities that underlie actors' references for interpreting policy. The Commission's divisions along sectoral lines are conducive to divergent conceptualisations of policy, and to the creation of trans-national networks for the lobbying of particular policy orientations (Egeberg 2004; Trondal 2007). This is consistent with organisational analysis in its claim that input derived from the institutional setting (in this case, sectoral considerations) leads actors to create "categories of structure, action and thought" (DiMaggio and Powell 1991a: 13). This proposition challenges assumptions of the primacy of national

considerations and divisions along geographical lines at EU level. As posited above, change and sharing of responsibilities across sub-units garner an opportunity for discerning divergences in perceptions and prioritisations of policies.

There are examples of disagreements amongst DGs, where perceptions and prioritisations have posed a barrier to the attainment of objectives, in particular at times of change, when new responsibilities did not fit with the organisation's structures and ideology (Cini 2001).

Differences between DGs are especially difficult to manage when they are based on clashes of DG administrative cultures: clashes which, in a few cases, involve conflicts of 'missions' regarding what should be done and by what means. (Nugent 2000: 6)

Instances of DGs with divergences that have proved difficult to manage include Competition and Environment (Cini 2000), External Relations (Relex) and Industrial Policy (Morth 2000), and JLS, Relex and Development (Boswell 2008). Sticking to the case of migration policy more specifically, changes to migration policy competencies and the way new objectives have been interpreted by JLS, Relex and Development does indeed point towards different prioritisations, as well as differing ways of making sense of how to introduce them into each DGs' remit (ibid). In these instances of clashes between DGs' reflect different views on how to deal with policy issues, and through what means (Nugent 2000). There is a strong cue here for taking into account the importance of actors' perceptions and prioritisations for understanding organisational functioning, and the translation of objectives into output.

Assessments of the presence of divergent perceptions and prioritisations within organisations are mixed. Instances of conflict and fragmentation are generally criticised for having a negative effect on organisations' image. They raise questions regarding legitimacy because lack of overall cohesiveness is seen as a sign of weakness (Cini 2000). An alternative view deems it difficult for organisations to match their talk, decision-making and action if they are to ensure survival. In a sense,

organisations are somewhat obliged to harbour a certain degree or incoherence in order to function (Brunsson 2002). Furthermore, and especially in political organisations that represent a multiplicity of interests, legitimacy is better achieved by representing a range of values, beliefs and interests: “political organisations ought to develop ideological inconsistency, and preferably even a number of distinct sub-ideologies” (ibid: 150). This view, however, also gives room to the possibility that such a setting will not lead to a consistent implementation of objectives.

#### *Implementation patterns*

Divergent perceptions and prioritisations derived from organisational identity will conceivably lead to particular ways of externalising policy as output, in this case through the external dimension of migration. Members’ practices contribute, through a creative process based on their perceptions (Linstead and Grafton-Small 1992), to the implementation of the policies they formulate as output.

Implementation is facilitated (or at times arguably hindered) by organisations’ formal and informal structures. Formal structures include decision-making arrangements, leadership in policy initiatives, and divisions of competencies. At times of change, formal structures are adapted to incorporate new tasks through staffing provisions, budgeting and division of labour within DGs. These changes in remit, which would feed into organisational identity, will lead to the development of working practices, policies and codes of conduct within the Commission (Shore 2000). These, in turn, underlie the possibilities for and approach to policy implementation.

Formal structures furnish organisations with normative expectations of how interests and goals are defined and pursued (Egeberg 2004), and in the case of the Commission they establish the extent to which it will have a role to play in decision-making, for instance, or the role particular DGs will play in the formulation and implementation of policy (Nugent 2000). The way DGs implement and pursue tasks

will arguably reflect their organisational identity, and their perceptions and prioritisations of policy.

An additional dimension for discerning implementation will be informal practices within the Commission. There is “an informal system of administration governed by a highly particularistic set of norms and practices in which the formal rules and statutes are frequently bent or ignored in favour of more personal, political and ‘pragmatic’ codes of conduct” (Nugent 2000: 133). Informal practices can sometimes be seen as a response to constraints imposed by formal ones on implementation possibilities. In a sense informal, or even alternative structures at different levels of the EU’s governance system, provide a way for organisations to exercise their perceived function and to pursue initiatives in a way that is congruent with their organisational culture, even if output is then observed through both formal and less formalised arrangements. Referring more specifically to DGs, it is not uncommon for DGs to sometimes seek informal settlements for the application of policy (Cini 2000; Trondal 2007).

### **2.3 A framework for analysing organisational culture**

The analysis in the thesis is based on the three elements of organisational culture outlined above, which I argue constitute the organisational cultures of DGs Relex, JLS and Development: organisational identity, perceptions and prioritisations, and implementation patterns. These three elements are presented as analytically separate, but they empirically overlap and feed into one another, as was evident in the definitions above and as will be seen in subsequent empirical chapters.

The three elements of organisational culture will be employed as bases for exploring and answering the thesis’ research questions: how has the Commission as a complex political organisation incorporated the external dimension of migration into its remit? And, how did the Commission’s DGs involved in the external dimension make sense of and implement new responsibilities? The assumption I depart from, and wish to

examine, is that DGs develop organisational cultures that help explain their divergent readings of migration policy objectives, which are largely based on their sectoral portfolios; and that divergences amongst them will have implications for the implementation of the external dimension of migration. The underlying concern in exploring these questions is with gaining a more accurate understanding of how a complex political organisation deals with changes in policy responsibilities, what this means for the implementation of policy objectives, and the significance of organisation in policy processes.

#### *Why the Commission's DGs?*

The DGs involved in the external dimension of migration policy differ in their expertise, focus and prioritisation of policies. This section will begin by providing a very brief background to each of them, as a way of introduction before looking at them in more detail in subsequent chapters. Then, a typology will be presented for observing these DGs' organisational identity, perceptions and prioritisations, and implementation characteristics.

DG Justice, Liberty and Security was introduced as a Directorate-General with the Prodi Commission of 1999. Prior to that, it was a Task Force on Justice and Home Affairs (Boswell 2008). In the decade following its creation, DG JLS grew in importance, and it was the lead (officially) in what concerned the external dimension of the EU's migration policy. It was a thematic DG in that its focus was limited to the particular sector of justice and home affairs. (It has now been divided post-Lisbon into DG Home Affairs, responsible for migration matters, and DG Justice.)

The remit of DG JLS is inward-looking: it is concerned with pursuing the internal security objectives of the Union. Its policy responsibilities include immigration and asylum, criminal matters, terrorism issues, and police and judicial cooperation. The interlocutors of this DG at member state level are justice and interior ministries. In fact, it is national justice and interior ministers that form the Justice and Home

Affairs Council with which the Commission has to discuss and negotiate its position regarding the external dimension, led by DG JLS.

DG External Relations (Relex) has a more extensive history than JLS. An external relations portfolio was part of first Commission of the European Economic Community that was formed in 1958, following the signature of the Treaty of Rome. At the time, the idea of relations with third countries focused on economic affairs (Coombes 1970). During the 1990s, DG Relex was divided into three houses that were in charge of external commercial policy, relations with former Communist countries, and North-South cooperation. The latter house in particular maintained close ties with DG Development (Abélès, Bellier and McDonald 1993). In its current configuration, no longer divided into houses, DG Relex's remit covers relations with different areas of the world – except ACP countries, which are under the responsibility of DG Development.

Relex's function is broader than that of JLS. By being responsible for the external aspects of the Union's policies, DG Relex covers a variety of issue-areas in its relations with third countries. These include trade, development and security, with migration concerns being a new addition to the DG's responsibilities. Relex's interlocutors in member states are foreign affairs ministries.

DG Development has as long a history as DG Relex. A development cooperation portfolio was also created as part of the first Commission in 1958 to cover ACP countries. Since its inception, the DG has had an external focus, being concerned with the development of third countries. The remit of DG Development covers poverty reduction, employment creation, human rights, health and education, and democratisation. Just as Relex, migration concerns have only recently had to be taken into consideration in relation to the existing functions of the DG.

The DG's interlocutors at member state level are not as clear-cut as JLS or Relex. DG Development operates externally, and its officials are committed to the primacy of development cooperation goals and the interests of third countries (Boswell 2008).

Their experience and priorities are moulded by their work at grassroots level in ACP countries (Abélès, Bellier and McDonald 1993).

Finally, even though DG AIDCO is not analysed in detail, it will be referred to briefly at the implementation level of analysis, and it is worth acknowledging here the role it plays in relation to the above-mentioned DGs. DGs JLS, Relex and Development are all involved in political dialogue, either with the member states or with third countries. AIDCO is the youngest DG of the four, having been created in 2001. It does not play a political role, but it is responsible for identifying and implementing the Union's external aid programmes (Commission 2010a). AIDCO is also an external relations DG, and has come to integrate migration priorities into its remit alongside other development cooperation and humanitarian aid responsibilities.

#### *The organisational identity of DGs*

As seen above, a number of factors can be considered to affect officials' identity formation. In relation to the incorporation of migration priorities, however, I will focus on three: remit, self-image, and legitimacy. These three factors result in DGs' reading of function, and actors' portrayals of their organisational identity. The typology presented here will be examined through data obtained from semi-structured interviews with Commission officials from DGs JLS, Relex and Development (details on methodology are addressed in the following section).

Authors agree on the importance of an organisation's remit in informing officials' identity formation and sense of belonging (Abélès, Bellier and McDonald 1993; McDonald 2000; Cini 2000). Remit is encoded in the official objectives and aims that an organisation is expected to pursue, and the resources made available in terms of staffing and institutional structures for them to do so. Officials' readings of their responsibilities and role will result in self-images of function. Studies have generally focused on officials' self-image as part of the Commission (Egeberg 2004; McDoland 2000), and less prominently on how DGs view themselves as a separate

layer of identification (Abélès, Bellier and McDonald 1993; Boswell 2008; Cini 2000). This framework for the thesis aims at exploring DGs' self-image of function, also to reflect how DGs view themselves in opposition to other DGs. In addition, DGs will be part of particular policy spaces in relation to the EU: internal, external, or both. These spaces will contribute to an institution's source of legitimacy: the environment on which they rely on for support and guidance (Cini 2000; Nugent 2000). This environment comprises interlocutors at EU and non-EU levels, and a range of other organisations that the Commission relies on for drawing and implementing objectives.

The organisational identity typology of DGs JLS, Relex and Development is summarised in Table 2.1 below. Relating to its internal security functions, DG JLS' remit is known to focus on justice and home affairs. As such, it is expected that its reading of its role will concentrate on security considerations. Its policy space is strictly internal, dealing with member state concerns on a specific policy sector. Since JLS is officially the lead on migration issues, its legitimacy will most probably be derived from interlocutors in member states, which are justice and home affairs ministries similarly concerned with internal security (although in their case national rather than of the Community). Its self-image will most probably be of an initiator and owner of initiatives, and possibly a catalyst for their adoption in other DGs.

DG Relex's remit is foreign affairs, and it is expected that this function furnishes officials with diplomatic considerations of how to address all sectors covered in relations with third parties. DG Relex's political space is at the border between the internal and the external, acting as a link between them. At official level, the DG's legitimacy is expected to be derived from foreign affairs ministries in member states, keen to maintain good relations with partners in all policy sectors, and partner governments. Their derived self-image is likely to be one of a harmonising body, balanced in approach and keen to maintain stability. DG Relex will also see itself as experienced in dealing with third country counterparts, and perhaps able to measure migration policy initiatives in relation to their experience in the external realm.



DG Development's remit is somewhat detached from internal policy considerations in that it deals with humanitarian aid and development cooperation in third countries. Its policy space is entirely external, located in ACP countries. It is expected that DG Development will be rather normative in its approach, protective of development aims and sceptical of initiatives that could potentially compromise them. DG Development is known to be quite sensitive to the needs and wishes of partner countries, with the latter being a source of legitimacy for them. In addition, Development is expected to also derive legitimacy from the development community, for instance in its interaction with international organisations (IOs) and non-governmental organisations (NGOs). Just like Relex, Development will probably see itself as experienced in dealing with issues under its jurisdiction and how these could be affected by the incorporation of migration policy objectives.

Organisational identity in DGs JLS, Relex and Development

	<b>JLS</b>	<b>Relex</b>	<b>Development</b>
<b>Remit</b>	Justice and home affairs	External relations	Development cooperation
<b>Self-image</b>	Initiator/ leader/ owner	Harmoniser/ balanced	Coherent/ normative
<b>Legitimacy</b>	Interior ministries of member states	Foreign affairs ministries, partner countries	Partner countries; IOs and NGOs

Table 2.1 Factors informing organisational identity in DGs JLS, Relex and Development

#### *Prioritisations and perceptions of external dimension goals*

Organisational identity is proposed here as directly impinging on actors' perceptions and prioritisations of policy priorities. The perception of issues is instrumental for the coordination of policies within organisations that harbour a number of cultures. Perceptions will shape what issues are problematised, and the expertise and solutions deemed as needed in response (Trondal 2007). The way initiatives are interpreted

will determine their prioritisation, and the conceptualisation of modalities for pursuing objectives.

Perceptions here are taken to mean actors' readings of what migration policy is in relation to their organisational role, and the ways DGs see as the most appropriate for pursuing objectives (see Table 2.2 below). These two factors will be studied in subsequent chapters through an overview of how the different migration priorities have been presented in official Commission documentation, and through interview data material.

In line with its justice and home affairs responsibilities, JLS is expected to have a securitarian perception of migration policy. In terms of the various priorities encompassed as part of the external dimension, JLS would most probably view restrictive measures as a priority, in line with internal security considerations. This DG is known to encourage third countries to improve their migration control mechanisms (Boswell 2008).

DG Relex, in its role as a harmoniser, will most probably view migration as an issue that falls within other policies they have to manage. Ideally, the relation between the approaches it administers should be synergetic, with the incorporation of migration objectives not affecting work in other areas. Referring to a more specific area of external dimension priorities, Relex would possibly favour effective migration management. This approach ensures that third countries benefit from initiatives, as well as satisfying labour demands at EU level.

Finally, DG Development will have a developmental lens for looking at migration. This DG has always been determined to protect the primacy of pursuing development objectives (Abélès, Bellier and McDonald 1993; Boswell 2008). Its priority under the external dimension will probably be tackling preventive aspects, i.e. fostering the links between development and migration.

### Perceptions of migration and prioritisations of the external dimension

	<b>JLS</b>	<b>Relex</b>	<b>Development</b>
<b>Perception of migration</b>	Securitarian	Synergetic	Developmental
<b>External dimension prioritisation</b>	Restrictive	Management	Preventive

Table 2.2 Perceptions and prioritisations of the external dimension of migration in DGs JLS, Relex and Development

#### *Implementation of the external dimension of migration*

Finally, implementation is proposed here as feeding from organisational identity, perceptions and prioritisations. It is a reflection of how the divergent interpretations that are internalised within organisational structures and in actors' readings of function will be expressed in policy output (mainly through programmes and funding, but also in the way relations with third countries and relevant stakeholders are conducted). Implementation, I argue, gives an indication of the way in which policy priorities were integrated into an institution's functioning beyond the declaratory and interpretation levels examined above (shown in Table 2.3). In order to examine implementation, I employ relations with Morocco as an illustration. As such, due to the Commission's institutional structure and the way responsibilities are divided between DG Relex and Dev for dealing with different regions, only Relex is relevant for this level of analysis (along with JLS). Dev is not included in the typology.

Policies are implemented through particular practices. These can be pursued through existing organisational means, or newly introduced ones. In the Commission there have been cases of specialised task forces being created where no existing structure could accommodate newly-introduced objectives (Egeberg 2007). It is also the case that the Commission exerts influence through the EU's multi-level structure at times when it does not have access to decision-making (Nugent 2000), or it seeks to

implement priorities by working with international organisations to advance particular goals, for instance on migration (Lavenex 2007).

Adaptations in practices and policy output are presented here as indicative of the implementation patterns of the Commission and the role of particular DGs in them. Change to policy output could most obviously be gauged by looking at programme changes within DGs JLS, Relex and Development, and to funding allocations through various budget lines for their pursuit. It is expected that this is where the mismatch between the political and the day-to-day functioning will come to the fore (Brunsson 1985).

Being the lead DG in the external dimension, programme and funding changes in JLS are expected to be high. DG JLS was created in 1999, and as such it is likely to have had to undergo substantial changes in order to incorporate objectives and assume its responsibilities (unlike Relex and Development, which already had well-established practices).

Changes to programmes and funding allocations in Relex are assumed to be low. This proposition is based on the fact that the DG already had quite well-established practices into which migration priorities were incorporated. In trying to maintain a balanced approach on behalf of the Union, DG Relex is likely to be reluctant to upset its approach to third countries by introducing substantial changes; hence, programme and funding changes are expected to be low.

As for informal or alternative arrangements, these are the discussions and exchanges that are not formalised in official agreements, and programmes implemented out-with bilateral and regional frameworks. It is expected that JLS would selectively favour this option. The DG is likely to support informal or alternative arrangements where they advance security-related initiatives, but more reluctant to do so if other approaches would be likely to compromise progress on security concerns. As for Relex, the expectation is that it would be more supportive of alternative or informal arrangements where these would be congruent with their established approach, and

provide greater manoeuvre in implementing initiatives in line with their remit considerations.

Degree of implementation changes in DGs JLS and Relex

	<b>JLS</b>	<b>Relex</b>
<b>Programme and funding changes</b>	High	Low
<b>Alternative implementation venues</b>	Low	Medium

*Table 2.3* Changes in programmes, funding and implementation venues for pursuing the external dimension of migration in DGs JLS and Relex

## 2.4 Research Design: Methodology, case studies and data collection

The thesis examines how the European Commission and its DGs made sense of and incorporated the external dimension of migration policy. The theoretical framework is drawn from organisational sociology; it is based on works in political science and organisational analysis in sociology, synthesised in the first section of this chapter, which argue for the need to study political and social organisations by paying attention to their structures, actors and dynamics.<sup>16</sup> In this section, I discuss the methodology employed and implications of this approach, the rationale for comparing DGs, as well as data collection methods and reflections on the scope of the study.

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<sup>16</sup> The writings from which I largely extracted concepts as a basis for the theoretical framework were Brunsson 1985, 2002; DiMaggio and Powell 1991a, b; Meyer and Rowan 1977; March and Olsen 1984, 1989; March and Simon 1993 and Olsen 2003.

### *Methodology*

In the thesis, I define the concept of organisational culture and employ it to explore how DGs incorporated migration policy responsibilities into their remit. It is a qualitative and largely inductive project, which departs from two basic assumptions that have a bearing on methodology. The first is that actors are central for determining the organisational cultures of DGs; they are the sources for discerning organisational identity, shared readings of policy priorities, and their implications on implementation practices (Brunsson 1985; DiMaggio and Powell 1991a, b; March and Simon 1993). The second assumption is that the concept of organisational culture can provide a detailed understanding of how the Commission's DGs incorporated migration policy objectives. I endorse organisational sociology's suggestion that organisations develop particular sets of practices in day-to-day functioning that underlie policy processes, and that may not always match an organisation's rhetorical and political claims (Brunsson 2002; DiMaggio and Powell 1991a, b; March and Olsen 1984; Meyer and Rowan 1977; Olsen 2003). Both of these assumptions presented a number of methodological considerations.

I assume that actors within the three DGs studied in the thesis will derive common readings of their role *in relation to the remit of their unit*, which will influence the way each DG's priorities are conceptualised and pursued by its members (Brunsson 1985; Cini 2000; DiMaggio and Powell 1991a). The research is thus aimed at offering an insight into actors' attitudes, views, and motivations for action (Hakim 2000), but only in relation to their role as organisational DG members. I posit that, because DGs hold different responsibilities and work within various policy areas, they will diverge in their perceptions of migration policy. Actors in each DG will collectively make sense of the external dimension of migration with reference to their unit's priorities and will establish working procedures to pursue objectives accordingly.

Taking actors as sources for discerning the organisational culture of DGs has methodological implications. Actors within organisations can be seen to play

multiple roles, and as Thomas points out, it is important to isolate what the actor represents for the purpose of research: “the individual, the position, or the organization” (1995:10). This decision largely depends on what the focus of the inquiry is. There are studies of the Commission that examine different roles that actors can play. Some focus on various levels at once, from personal and individual factors, such as nationality and professional trajectory, to departmental and Commission membership; they analyse how these elements combined affect the degree of allegiance to the overall organisation (Abélès, Bellier and McDonald 1993; McDonald 2000). Others have adopted the angle of actors as members of the Commission in a functional sense, assessing whether varying public administration backgrounds influence the extent of incorporation into the Commission as a bureaucracy (Egeberg 2004, 2007; Trondal 2007). And other researchers such as Hooghe (1999, 2005) have been concerned with establishing whether actors are socialised into the overall Commission organisation or sets of international norms.

For the thesis, the actor is taken to be a member of a particular DG—JLS, Relex or Development—and central to discerning how members of that DG developed shared understandings of the unit’s role in the external dimension of migration. They are not studied as individuals, but rather as members of an organisational unit in charge of a particular portfolio. DG officials are assumed to give and derive meaning from the organisational structures and environment they are part of. Studies that have focused on officials as DG members examined how these develop shared readings of objectives, how these readings influence policy output, and how actors interact with formal and informal organisational structures to pursue their goals (Bowell 2008; Cini 1996, 2000, 2001). These latter approaches are the closest to the one endorsed in the thesis.

The second assumption relates to what organisational culture as a concept can contribute to our understanding of an organisation’s policy processes and output. I argue that examining the three elements of organisational culture (namely organisational identity, perceptions and prioritisations of policy in relation to remit,

and implementation patterns) provides a detailed picture of policy processes within the Commission on the external dimension of migration. As seen earlier in the thesis, both the organisational sociology literature and studies that concentrate on the European Commission's policy processes support the suggestion that the elements included in the thesis' definition of organisational culture are significant. However, students of organisations highlight methodological challenges in devising methods for examining their internal processes, networks and relationships within them.

Organisations such as the European Commission are composed of complex structures and internal dynamics not always visible to the researcher, and which may not be uncovered through particular methodologies (Barton and Anderson 1970; Coleman 1970; Scott 1965, 2008). Adopting a lens that relies on actors for examining organisational culture adds considerations regarding access to members of the organisation, which in the case of the Commission are also elites. Elites pose special sets of considerations because they are generally perceived to “establish barriers that set their members apart from the rest of society” (Hertz and Imber 1995: viii).

On the issue of uncovering organisational complexity, authors have discussed different research design options as well as their shortcomings. In a thorough review of possible methodologies to employ at a time when organisations began to be discussed in detail, Scott (1965) advanced that organisations can best be studied through observation on-site, especially if the research is deductive. Observation, he argues, allows for a detailed examination of networks of relations, the perceptions of organisation members of their roles and norms running the organisation, and the degree of differentiation within it (*ibid*). However, he recognises that such in-depth access to organisations is very difficult to get. Other scholars agree with this latter point, and outline the dominance of surveys in organisational studies because of their reach in terms of organisational members, who in turn are part of a wide range of structures (Barton and Anderson 1970; Coleman 1970). In these cases, even though an important element is left out or limited—that of a detailed examination of actors'



interaction with structures and internal networks—surveys are designed in a way that enables researchers to enquire about cognitive and relational aspects. Actors are then located within a wider organisational framework and certain inferences can be made about organisational functioning (Coleman 1970).

For inductive studies, however, Scott posits that it is not necessary to achieve immersion into the organisational context, as it is easier to identify relevant actors and examine propositions (1965). This route was the one adopted for the thesis. The external dimension of migration involves a relatively small number of actors, in the context of the European Commission, and three identifiable units, DGs JLS, Relex and Development. It was feasible, therefore, to examine the formal structures within which these three DGs dealt with migration policy, and examine relational and informal aspects mainly through interviews with DG officials—the actors. Semi-structured interviews, as well as document analysis, were the methods chosen for examining organisational culture (they are discussed in greater detail later in the chapter).

However, interviewing organisation members and elites poses an additional set of challenges. Even though interviews are seen as the method conducive to gaining insights into an organisation and its culture, researchers generally find difficulties in establishing rapports with officials or executives, depending on the type of organisation (Hertz and Imber 1995; Ostrander 1995; Useem 1995). Researchers interested in examining organisational dynamics beyond official objectives tend to devise strategies for conducting intensive interviews over an extended period of time (Yeager and Kram 1995).

For the thesis, it would not have been possible to gain extensive access to the Commission for observation, or to conduct intensive interviews over an extended period of time (for a discussion of the scope of the study, see page 93). The actors targeted for research were DG officials, who were unlikely to commit their time to prolonged interviews. My aim, therefore, was to interview as many of the relevant officials as possible, and include questions which would focus on them as members

of a particular DG, which participates in the external dimension of migration's policy processes (based on the two assumptions discussed in this section).

Questions aimed at discerning organisational culture, therefore, strictly focused on actors as DG officials, and as a source of information on internal dynamics in relation to the external dimension of migration. They revolved around issues such as how officials portrayed the role of their unit; the extent to which migration related to the aims of the DG; the ways in which DGs coordinated with one another; assessments of whether coordination was effective for each unit's purposes and for the implementation of migration policies more generally; constraints posed on the organisation by the political environment and by other DGs; and so on. Officials were approached on the basis that they could offer a detailed understanding of how the external dimension of migration came to be embodied in the work of their respective DGs, and how it translated into the Commission's implementation of practices.

#### *Comparing case studies*

The methodological considerations outlined above underlay the thesis' comparison of the organisational cultures of DGs JLS, Relex and Development in relation to their incorporation of the external dimension of migration. I treat DGs as cases, even though they are part of the Commission as an overall organisation, because the concern is with establishing whether they develop divergent organisational cultures based on their remit. It could be argued that the *Commission* would be the case study, and that the DGs would be an instance of within-case analysis (Bennett and Elman 2006). This view would be consistent with research designs aimed at analysing organisations as a whole (Hakim 2000). Even though there is some degree of overlap—these DGs *are* part of an overarching organisation—for the purpose of analysis they are treated as distinct units. The aim of the thesis is not to make inferences about how the Commission as a whole functions based on the findings on migration policy and the three DGs concerned with its external dimension. It is rather

a specific inquiry into how these units deal with changes in their responsibilities on migration; the concern is with studying events, roles and relationships (ibid). Therefore, DGs are treated as case studies.

Comparisons are made based on the three elements that I argue constitute the organisational culture of DGs JLS, Relex and Dev: organisational identity, perceptions and prioritisations of migration policy and the external dimension, and readings of implementation options and patterns. The first two elements are largely internal—they consider organisational references within the Commission that contribute to actors' readings of their role and that of their unit, and how this in turn feeds into their prioritisation of migration policies and perceptions of how to pursue them. The third factor of analysis is concerned with the way each DG relates to the Commission's implementation patterns of the external dimension. In order to compare DGs in terms of implementation, the analysis considers Morocco as a target third country for external dimension initiatives; this partner country is employed as an illustration of how DG officials working in the external dimension relate to a specific instance of implementation.

Morocco was chosen for three main reasons. First, it is considered to be of high priority for the EU in terms of migration. Morocco is not only a country of origin of many of Europe's migrants, but also a country of transit for migrants mainly from sub-Saharan African countries. Morocco has been at the centre of debates on how to collectively manage migration concerns, especially after high profile cases of irregular migrants arriving undocumented to the EU who are believed to have passed through this country, and due to its geographical position bordering Europe. Second, it is recognised by the European Commission as one of the most cooperative partners in the southern Mediterranean. Morocco has been involved in informal cooperation arrangements, and has historically been keen to advance its relations with the Union. As such, it is expected that its relations with the EU on migration would be more advanced than other North African countries, such as Algeria and Libya, with whom relations have been more challenging. Third, a quick look over implemented external

dimension initiatives and funding allocations suggests that Morocco is the highest recipient of EU aid, and in terms of neighbouring states a beneficiary of a substantial number of programmes. Therefore, the fact that Morocco is of concern in terms of irregular migration, has a history of relations with the Community and with individual member states (see chapter 1), and has advanced relations with the EU renders it a good illustration for exploring how the external dimension is being implemented more concretely.

*Data collection methods: Official documents and elite interviews*

The purpose of a study generally dictates the research methods employed (Aberbach and Rockman 2002). The data collected for the thesis needed to be conducive to examining how migration came to be part of the Commission's responsibilities through the concerned DGs, and how its members made sense of objectives and goals in relation to the concept of organisational culture. As such, two methods were chosen: document analysis, and elite interviewing. EU documentation offers a starting point for mapping how the external dimension developed over the years, and how it came to be part of relations with specific regions and partner countries. Documents are considered stable and exact sources of information, and if accessible they provide broad coverage of issues (Yin 1994). Given the concern with gauging organisational culture, however, documentation is not sufficient. Concentration on the level of actors and their readings of policy objectives posed limitations on additional method possibilities; elite interviewing was the straight-forward choice for examining the different elements informing DGs' organisational cultures. It was necessary to speak to officials involved in the external dimension and its incorporation into relations with Morocco in order to understand how they viewed their organisational identity, the different aspects of migration policy, and the implementation possibilities they had. In qualitative research, interviews have the potential to offer rich and detailed data (Hakim 2000; Scott 1965).

Official documentation offers a starting point for mapping how different elements of migration policy came to form part of the external dimension of migration. The European Union publishes a vast number of documents through its database, EurLex, and in addition refers to documentation in the information provided in its DGs' sites as a reference for policies and orientations. The documents analysed in the thesis fall under two overlapping categories: migration-related and/ or Mediterranean- or Morocco-related. An extensive number of documents were reviewed. Migration-related documentation comprised Council Conclusions, Commission Communications, Staff Working Papers and various other policy papers mostly produced between 1999 and 2009 (although some documents before and after these dates were also consulted). Mediterranean- or Morocco-related documents included agreements, strategy papers (both country- and region-specific), programme and funding overviews, action plans and indicative programmes (also country- and region-specific). The latter category of documents covered initiatives under the EMP and the ENP.

The aim of reviewing these documents was three-fold. First, it was necessary to examine how migration was developed as an external dimension policy, and more specifically as the Global Approach, in order to relate to officials' responses in interviews. Second, documentation was necessary for assessing implementation as opposed to internal interpretations and readings of objectives, which may not have been translated into concrete practices. Third, looking at both categories of migration-related, and country- and region-specific, insights were gained of the extent to which the general migration policy adopted as an EU approach was then being translated into specific relations with a counterpart. Even though documents do not provide an insight into organisational culture, they are of high informative value to the researcher and a base on which to pin interview questions (Aberbach and Rockman 2002; Dexter 2006; Richards 1996). Documents, however, have a weakness in relation to the thesis' research questions: they gloss over internal differences, and do not specify DGs' involvement in their drafting.

The additional method of elite interviewing was therefore employed for moving beyond the official representation of the external dimension of migration. The bulk of the analysis in the thesis is indeed based on elite interviews. Officials were also chosen corresponding to two overlapping criteria: involvement in migration policy in general in the three DGs, and involvement in implementation of priorities with Morocco or the Mediterranean more broadly (this criterion applied mostly to Relex due to the EU's institutional structure and division of responsibilities). In total, 19 semi-structured interviews were conducted with officials from the European Commission in Brussels, Belgium and Rabat, Morocco between September and November 2009: nine DG Relex officials (seven based in Brussels and two in the Commission's Delegation office in Rabat), five JLS officials, three Development officials, and two DG AIDCO officials. Most officials were identified through the Commission's public directory, which allows for searches to be conducted for specific DGs and their units, and depending on policy areas (in this case, migration). Recommendations from other researchers in my area were also useful for identifying interviewees; and once I got into the interview process, officials themselves were helpful in suggesting colleagues who were relevant to the issues covered by the thesis—"snowball sampling" (Goldstein 2002: 671). Most interviewees were contacted by email. The emails sent to officials contained a brief summary of the research topic and reasons for wanting to speak to them specifically. In cases where emailing was not conducive to setting up interviews, officials were contacted by telephone.

Choosing and gaining access to interviewees can sometimes be challenging (Aberbach and Rockman 2002; Berry 2002; Goldstein 2002; Richards 1996). However, no substantial difficulties were encountered in terms of access to Commission officials. I was able to speak to members of the three DGs studied, who fulfilled one or both aspects of the selection criteria (involvement in migration policy, and relevant role in relation with the Mediterranean/ Morocco). In one of the DGs I was in fact able to interview all officials working on the external dimension. Comparability in the roles of officials within DGs was sought to the highest extent

possible, although it depended on the structure of the DG (as will be seen in chapter 3, their institutional structures and distribution of human resources differ), and officials' willingness to be interviewed. Even though I cannot provide specific mention of the departmental allegiances of interviewees due to their requests for anonymity and confidentiality, the range of officials interviewed constitutes a good representation of those involved in the external dimension of migration in DGs JLS, Relex and Dev. I also achieved very good access to officials in posts high in the departmental hierarchy, with some of them being directly involved in policy- and decision-making processes, negotiations and implementation.

Interviews were semi-structured. Because of the nature of the research questions, I deemed it important to allow respondents to engage with the issues and to convey their thoughts on how migration policy was prioritised and interpreted within each of the DGs. Authors who have written on interviewing highlight that it is important to allow for a certain degree of flexibility in elite interviews, and to adapt to the situation, the respondent and the flow of the conversation (Aberbach and Rockman 2002; Berry 2002; Dexter 2006; Hakim 2000; Richards 1996). Even though a standard set of questions was prepared, the order followed in the interview was guided by the way respondents interacted with the issues presented to them. This strategy was extremely fruitful in allowing officials to expound on organisational practices and processes. Adaptation to the interview context was also useful for dealing with instances where the interviewee was not forthcoming, or hostile. A certain degree of judgement was required in the context of each interview to probe the interviewee further (Barry 2002), or to move beyond uncomfortable situations (Dexter 2006). Adaptability was also necessary for dispelling one interviewee's beliefs of what academics mean when they speak about the external dimension of migration—that the Commission imposes their policies on third countries. It was employed as a strategy to probe officials where they strictly conveyed the content of official documentation, without elaborating on DGs but focusing on the Commission as an overarching, unitary organisation. Finally, interacting with interviewees allowed me to discern EU jargon and terminology that officials identified with, and

engaged with more readily to answer questions. Even though there are criticisms of the rigour of flexibility in and adaptation to interview settings, these are also conducive to exploring nuances in policy- and decision-making environments that cannot be as readily uncovered by other research methods (see for instance Barry 2002 and Bechhofer and Paterson 2000 for discussions).

Important elements that allowed for conversational and flexible interview flow were confidentiality and anonymity. As illustrated by an initial exchange with one of the interviewees, when asked about their preferences, they asked in return whether I wanted them to be politically correct or honest. All participants were ensured of the confidentiality of interviews, and they all requested that their identity and specific departmental allegiance be kept anonymous; I am the only person who can and has had access to the interview material, and it is safely kept and encoded. Most interviews were recorded, except in three cases where interviewees did not wish to be recorded. Even though elite interviews (and interviews more generally) pose questions regarding objectivity, both of the interviewee and the interviewer (Ball 1994; Berry 2002; Hancké 2009), providing officials with anonymity and confidentiality seemed to be conducive to generally forthcoming and critical discussions, and most of them readily elaborated on the questions posed to them.

Nonetheless, interviewing officials poses the risk of bias, and this limitation is fully acknowledged here. However, steps were taken to address this issue. For internal aspects of organisational analysis, such as readings of organisational identity, and perceptions and prioritisations of policies, it is difficult to obtain sources other than actors for gauging the way in which migration policy was incorporated into DGs' responsibilities. Nonetheless, analysing along DG lines allows for divergences to be expressed by members of the different units. Officials were more often than not keen to elaborate on their preferences and organisational practices in a way that diverged from the official, Commission line. In addition, for the implementation level of analysis there was some more leeway for cross-checking interviewees' responses. To begin with, information on specific and concrete initiatives was available in official



documentation; document analysis was fruitful particularly for this level of analysis. In addition, the implementation aspect of the external dimension offered the possibility of interviewing partners in initiatives: the Moroccan government and organisations with which programmes are implemented.

Therefore, in addition to European Commission officials, interviews were also conducted in Rabat in October 2009 with five officials from Moroccan government, one official from the International Organisation for Migration (IOM), and one official from the UN Refugee Agency (UNHCR); altogether, 26 interviews were conducted. The Moroccan government officials interviewed were involved in migration issues, as well as in negotiations with the European Commission on migration issues—most notably a bilateral readmission agreement. The IOM and UNHCR were involved in Commission-funded projects in Morocco (and are also routinely involved in the drawing of policy at EU level), and their officials were helpful in mapping the modality of cooperation and implementation practices of the Commission. Interviews with Moroccan government officials were arranged by telephone. Officials in the IOM and UNHCR were contacted via email.

Interviews were transcribed in full, and were mostly conducted in English, although in some of them Spanish and Arabic were also employed where participants were more comfortable with their use than with English. (I am fluent in the three languages so switching between them was not a problem in terms of conveying questions and later analysing responses. The ability to speak these languages was crucial for completing some of the interviews, which would have otherwise been inconclusive.)

The analysis was structured around the three components of organisational culture. The general themes for structuring the analysis were drawn prior to conducting interviews, in line with the theoretical framework and the typologies provided. However, semi-structured interviews give room for the informant to steer the conversation (Hakim 2000). As such, a certain degree of flexibility was also necessary in organising data into themes depending on the results of the research

process, and an assessment of findings along the way. Gomm (2004) posits that analysis decisions on semi-structured interviews are generally taken whilst and after data is collected.

*Scope of study and adaptations to the interview process*

There are certain limits to what is covered in the analysis in the thesis. Three points in particular are worth highlighting here: time and resources, possibilities for replication and generalisation, and validity and reliability.

Fieldwork was conducted over two months, between September and November 2009. Even though considerable access was gained to Commission officials, the length of stay in Brussels and Rabat was dependent on budgetary and time considerations. These issues in part shaped the choice of period covered for the thesis; the Lisbon Treaty was ratified shortly after fieldwork was finalised, but organisational changes that could have enriched the research findings could not be taken into consideration. There was no possibility for conducting further fieldwork, with the time period of the PhD being an additional concern. However, the choice for the 1999-2009 period has its advantages: it covers a particular institutional configuration for DGs. Expounding on post-Lisbon changes would have increased complexity and detracted from analytical depth in exploring organisational culture. In addition, by the end of the interview period responses began to be repetitive, suggesting there was saturation in the material gathered.

Employing a case study methodology and elite interviews as methods are deemed to limit the extent to which the researcher can make generalisations (Goldstein 2002; Hancké 2006). The thesis, however, is not concerned with making generalisations about the Commission as a whole or how policy-makers interpret objectives in all situations and policy areas. These issues, albeit interesting, are not the purpose of the analysis presented in subsequent chapters. Rather, the thesis aims to examine how the specific DGs hereby studied made sense of a particular policy through an

organisational sociology lens. The conclusions drawn are limited to a specific issue: the external dimension. Even though it may be the case that some of the conclusions posited by the thesis are applicable to other policy areas or organisational contexts, inferences about these issues remain beyond the scope of the thesis.

Finally, interviews are at times criticised for their weaknesses. Some authors highlight that interviewing can lead to biases in responses and choices, and lead to inaccuracies in reporting research findings (Yin 1994). Examining organisational culture from interviewees' responses may pose questions regarding validity and reliability (Berry 2002; Hancké 2009). Elite interviewing is ultimately a closed process, where usually only the interviewer and the interviewed are present. The way the researcher approaches the themes that emerge constitute choices made, according to a particular research design, depending on different aspects of the data collection process (Gomm 2004). It is conceivable that researchers may differ in what they deem appropriate for measurement and analysis. Despite acknowledging these issues, however, Hakim argues that the validity of interviews is in the detail of results, which can generally be taken to be "true, correct, complete and believable reports of their [interviewees'] views and experiences" (2000: 36). As for reliability, even though it would be difficult to replicate a particular interview or to expect to get the same responses from a particular official when interviewed by a different researcher, it is useful to be aware of other studies in the same area that follow a similar line. In what concerns the Commission, there are various studies in different disciplines that do not conflict with the approach taken in the thesis. Similar conclusions have been drawn on the characteristics of the Commission's organisational functioning (see for instance Abélès, Bellier and McDonald 1993; Boswell 2008; Cini 2000; Morth 2000).

## **Conclusion**

This chapter has argued that organisational sociology, and in particular the concept of organisational culture, provides a suitable lens for examining the way the

European Commission has incorporated the external dimension of migration into its responsibilities. I define organisational culture as being composed of three inter-related factors: the organisational identities of the DGs involved, actors' perceptions and prioritisations of policy and how to pursue objectives, and resulting implementation patterns. A framework for analysing DGs JLS, Relex and Development, based on these three factors, was provided.

I argued that it is necessary to examine what happens within organisations, through the shared perceptions of their members, once they incorporate new tasks into their remit in order to understand policy processes and subsequent policy output. An organisational sociology approach complements, and adds depth to, existing explanations of how migration has come to form part of the European Union external relations responsibilities. Mainstream approaches, corresponding to the external governance literature covered in the Introduction, interpret migration policies as sets of EU rules that are transferred to partners through bargaining negotiations or transnational network cooperation. In addition, the focus of these accounts is on the security-related aspects of migration. I propose that by employing the concept of DGs' organisational cultures to analyse the Commission, we can examine what EU rules are composed of, acknowledge the complexity of actors involved and their priorities, and understand the external dimension of migration as a policy strategy that brings together various interests and conceptualisations of how to pursue them.

These propositions are examined in the next chapters, employing the theoretical framework detailed above, through document analysis and semi-structured interviews with officials from the European Commission.

## **Chapter 3 - Gauging organisational identity: DGs and their organisational context**

The thesis examines how DGs JLS, Relex and Development incorporated the external dimension of migration policy by employing the concept of organisational culture. Directorates-General, I posit, develop organisational cultures that underlie how policy priorities are interpreted and translated into output. I argue that by taking organisational culture into account, we can gain a better understanding of the internal dynamics of the Commission, and of processes underlying migration policy formulation and implementation. This approach to studying the external dimension complements external governance accounts, which have simplified what it meant for the external dimension of migration to become part of the Commission's responsibilities.

In chapter 2, I provided a theoretical framework for studying the way the Commission's DGs take in and implement migration policy aims. The framework is composed of three elements that reflect organisational culture: organisational identity, migration policy perceptions and prioritisation, and resulting implementation patterns. This chapter addresses organisational identity, or the way DG officials working on the external dimension portray their organisation's function, other DGs who they work with on migration policy, and the sectoral environment and counterparts they identify themselves with for legitimating their role.

To illustrate DGs' organisational identities, the chapter is divided into three sections. The first section examines the formal organisational references that actors draw on for portraying their function: the ascribed remit of the DG they are members of, and the institutional structures through which migration priorities are incorporated. The following section studies the way DGs depict themselves in relation to other DGs working on the external dimension—their perception of 'the other' within the

Commission. The third section examines how each of the DGs identifies itself with particular interlocutors and with their sectoral and political environment—ministries at member state level and third country counterparts with whom they work on migration policy objectives. The fourth and final section of the chapter discusses a finding unaccounted for in the theoretical framework: instances where DG officials presented their organisational identity as contributing to the overall objectives of the Commission, rather than solely responding to their unit's functions.

### **3.1 Managing formal expectations**

The adoption of the external dimension meant, in practice, that different DGs within the Commission concerned with external relations, or with how migration is incorporated into them, had to adapt a new policy orientation into their remit and institutional structures. How do officials relate to the remit of their DG? What are their shared perceptions of their department's function in relation to the external dimension? And what are the institutional structures available to them? This section explores how officials engage with formal organisational references. I argue that JLS officials were keen to enact a more prominent role for their DG, facilitated by their remit covering the security focus of migration discourses. Relex and Dev officials, on the other hand, largely strived to maintain their established policy line, and drew on their longer history and extensive experience in fulfilling their remit.

#### *Shared readings of remit and function*

The three DGs examined here—JLS, Relex and Dev—held different policy agendas. Officials interviewed took for granted that divergences were bound to emerge based on the mandates their DGs had. The ascribed function of each DG was a point of reference endowing them with particular readings of policy aims conducive to fulfilling their remit. For officials, differences were an expression of “conflicts of interest”, the result of the “interaction of agendas”, could be explained by the

Commission housing “extremes” in policy orientations, and were seen to lead to a “clash of substantive policy objectives” (Interviews Sep-Nov 2009). Many of these officials likened the plethora of approaches to policies in the EU to differences amongst ministries at member state-level. What is of significance for examining organisational identity is that their justification for differences was based on the portfolios they held; they were in reference to the ascribed function of the DG and how they, as officials, ought to pursue expected objectives. The Commission, therefore, houses a variety of readings of remit based on the policy sectors DGs are in charge of.

Divergences in readings of remit within a complex organisation are consistent with the theoretical propositions of organisational sociology. Actors working within an organisation’s units are assumed to share interests, perceptions of their environment and the institutions they are members of, and knowledge about how to pursue policy objectives (Brunsson 1985). The rules embodied in their remit define their role, and the consequent formulation of interests and strategies (March and Olsen 1989; Stone Sweet and Sandholtz 1997). DGs within the European Commission perform different functions, with each DG deriving its own policy style, working procedures and policy objectives in response to their remit (Cini 2000).

DG JLS was responsible for justice and home affairs issues, and it started off as a JHA Task Force at the time of inter-governmental cooperation in the 1990s (Geddes 2008). It then became a Directorate-General under the 1999-2004 Prodi Commission. The DG’s task can be simplified as ensuring that the internal European space provides citizens with freedom, safeguarded by security and justice provisions. Officials in the Commission described JLS as a *thematic* DG—meaning that it is concerned with the specific domains of security and justice. They identified their organisational function as parallel to that of interior ministries at national level.

JLS employed its internal affairs remit to advance a more prominent role for itself as a DG, and to create an organisational identity based on its security agenda. The DG’s prominence increased over time, and this coincided with changing perceptions of

security at EU level (see for instance Council 2003). JLS officials' readings of the external dimension were therefore based on how migration impinged on internal security objectives, with the internal being the main point of reference:

Migration, of course, is a top issue where the external dimension of immigration, in particular supporting other countries better manage migration flows, is one thing. But we inside, in Europe, have our own policy agenda, dictated or imposed on us by the pressing needs we have within Europe when it comes to better and more efficiently managing migration flows. (DG JLS official, Sep 2009)

The external was portrayed as a continuation of internal priorities of law and order, but also economic and social stability. Interviewed officials emphasised that the role of JLS was to manage member states' concerns, always referring to the security issues that arose as a consequence of immigration. Mostly, JLS officials concentrated on irregular migration flows, but also in the long term meeting the growing need for migrant labour in Europe. Labour shortages were referred to in terms of their potentially destabilising effects for European societies. However, the putting in place of legal migration provisions could not be achieved without the effective management of irregular migration.

What is noteworthy is that despite the Commission having embraced a comprehensive stance to the external dimension, in particular with the adoption of the Global Approach in 2005, JLS officials were adamant about the importance of achieving control over irregular migration *before* other aspects of a comprehensive strategy were pursued, and if not before, concomitantly (including legal migration provisions). This stance is in line with the organisation incorporating external dimension objectives read through the perception of its internal security remit. It is also consistent with organisational analysis theories, which advance that the capacity of organisations to deal with complex issues increases at the expense of comprehensiveness (March and Olsen 1989). DG JLS's specialisation on justice and home affairs issues compromised its ability to engage a broader spectrum of



considerations; in the first instance, its officials develop ways of thinking about policy that corresponds with their established line of work.

Relex's references were also along the lines of its remit, which was to handle relations with all non-EU partner countries, with the exception of ACP states. In contrast to JLS, however, the DG had a considerably longer history, going back to the first Commission of the European Communities (although its structure and nomenclature changed over the years). It had always been an outward-looking organisation interested in heightening its international diplomatic role (Abélès, Bellier and McDonald 1993). The policy portfolios it held were not limited to a single policy domain, but covered different areas: trade, energy, democracy promotion and agriculture, to name a few. Its remit was therefore more varied, and required officials to engage with a range of policy priorities, as well as with the DG's established external relations orientations. Rather than the external dimension being a policy that could heighten the DG's profile, officials saw it as jeopardising their approach, which they strived to maintain to a large extent.

Relex officials, therefore, highlighted that for the DG it was important to coordinate relations with third countries in the different domains it was responsible for, and to broker between the internal and external spheres of relevant policies. Relex officials' resistance to change is explained by organisational sociology as an attempt to preserve itself, and as an assessment of appropriate action in line with established rules (March and Olsen 1989). Most of the officials interviewed emphasised that the DG's priority was to make sure that the approach to the different policies was balanced, and not tilted to one orientation or other in a way that may impinge on the overall quality of the established relations they had with partners. Relex is seen by its members as an organisation parallel to ministries of foreign affairs at member state level. The foreign affairs role was explained by one official as favouring the status quo, with the introduction of new responsibilities (such as the external dimension) being seen by members of the organisation as possibly unbalancing their approach to third countries and as a source of instability.

Relex officials therefore referred to the introduction of migration responsibilities in terms of its relation to other policies, and to their priority in having a coherent approach vis-à-vis third countries. Relex officials did not share JLS's conception of the security aspects of migration superseding other priorities, such as legal migration issues and development-related concerns—mainly because a focus on security measures was damaging to the Union's external relations. In fact, many concurred in that the DG's ethos was one that supported cooperation rather than conditionality. Officials were critical of not adopting a more positive stance towards third countries to achieve external dimension goals—one that would offer the latter greater benefits. This stance is consistent with a shared reading of their remit as pursuing a balanced, synergetic approach to policy priorities. When asked how (ideally) migration as part of external relations would be handled by Relex, an official explained:

If we take a collective point of view, there would certainly be issues that would be very sensible to do in the interest of our partners and in our own interest, and probably there would be a different policy. But, unfortunately, this is not the case for the time being. The problem is that frequently, even within the member states, you find different views between the ministry of foreign affairs and the ministry of interior, which has the final say on these kinds of matters [migration-related]. So in reality I think that yes, we could be more active, and we could do something that could certainly be more positive. (DG Relex official, Sep 2009)

This more positive stance would have been one that represented a continuation of Relex's established policy line. The portfolios it had traditionally handled were ones that largely dealt with development matters—in line with the more progressive, preventive goals of the Global Approach. The external dimension was interpreted by many officials as linked to the socio-economic conditions present in the countries they maintained relations with, where they had traditionally managed development programmes that tackled inequalities. Migration was balanced against these concerns—for instance in thinking of how migration related to socio-economic conditions, or how legal migration could be managed so that development goals were better achieved, and more positive conditions were offered to partners. It was also

important for officials to make sure that considering migration did not affect other areas. For example, speaking about Morocco an official highlighted:

Usually sectoral colleagues, such as JLS colleagues, have very specific and sectoral views. They have to ensure of course the coherence of what they do with Morocco with the rest of the policy of the Union on JHA matters. But we have another task, which is the task of trying to put in context general relations with Morocco. So we always need to find the right mix in order to say: OK, that position is important to be kept with Morocco with regards to migration because it is coherent with European Union policy on migration, but at the same time in the context of relations with Morocco, we have certain subjects, or certain priorities, which we need to take into account in order to define our position with the country. (DG Relex official, Oct 2009)

In its efforts to maintain its role and established policy line, DG Relex was similar to Dev. DG Dev was (and remains) in charge of development cooperation relations with ACP countries. The ethos and function of the DG also date back to the first Commission. Between 1958 and 1975 the DG was active in inventing itself as an organisation that would manage the Communities' international development mission (Dimier 2004). Its responsibilities came to encompass what is traditionally known as development issues: poverty reduction, dealing with unemployment and health problems, governance, economic development, and so forth. Interviewed officials were adamant about the organisation's role in ensuring that these goals are consistently pursued (and not compromised) in third countries. In addition, they insisted on the importance of third countries agreeing and wanting the development programmes negotiated and implemented in conjunction with the EU. For Dev, third country willingness and the commitment to development goals were the *raison d'être* of the DG.

Their take on the external dimension and the DG's role in it was based on their development cooperation experience, which they were resistant to compromise on. Reflecting on the trajectory of the external dimension, an official said that the DG had continuously "preached" within the Commission about the importance of

considering the repercussions of the EU's migration policies on the development of third countries (DG Relex official, Oct 2009). DG Dev officials all highlighted that their endorsement of the Global Approach was based on it being a more positive stance towards migration concerns, and one that is not based on conditionality—strongly opposed by the DG. As one interviewee put it, prior to 2005 “there were *different world views* that would not meet. You had on the one hand interior ministries, who were starting to deal with migration and to look increasingly at the external dimension of migration. And you had Development people—OK foreign affairs people were of course also starting to look at it—but Development people just did not want to hear about it; for them it was evil” (DG Dev official, Oct 2009; emphasis added).

DG Dev's later engagement with the Global Approach and their more positive role came with a recognition by the DG that migration touched upon their agenda—what Boswell (2008) described as the reinterpretation of goals so they would conform to the organisation's ethos. Interviewees drew on their experience in dealing with development issues as positive input for the external dimension. Like Relex, they saw the external dimension's priorities as achievable through being more sensitive and responsive to the needs and wants of third countries; they criticised the prioritisation of the security aspects of migration as not conducive to achieving holistic results. This stance was consistent with their general approach to relations with partners, and to the pursuit of their development remit.

Therefore, rather than migration becoming an objective in itself, Dev officials saw the endorsement of the external dimension as an opportunity for arguing that development issues are *also* in Europe's interests; discussions on migration and development were in this respect conducive to ensuring Dev's agenda was complied with. In line with the DG's focus on traditional development responsibilities, in 2005 it launched what is now known as *Policy Coherence for Development*. This initiative assessed the different policies the EU pursued for their effect on development

priorities in third countries, with migration being one of the policies under this framework.

Many people say: well OK, development is a moral thing. You want to be good and it is Catholic or whatever, but it is not for us. There is a tendency to put it aside in that kind of terms. But if you understand that development is also about your own European interests, then it becomes different and that, I think, is also a positive aspect of the migration and development discussion. (DG Dev official, Oct 2009)

Other Dev officials highlighted that the growing importance of migration at EU level meant that the DG could have been by-passed, and it needed to find a way of engaging with newly-defined objectives. This claim explains the DG's efforts in advancing the Policy Coherence strategy. The Ceuta and Melilla incidents in 2005 were described as a wake-up call that caused the DG to consider the development aspects of the migration problematic, and to think of ways of avoiding "pollution" of Dev's agenda. The DG responded to "institutional and effective pressures" by finding a way of advancing development cooperation objectives; for them it was about "migration *for* development, so it is really a bit more focused" (DG Dev official, Nov 2009; emphasis by interviewee).

Officials' engagement with their DG's formal remit exposes aspects of the organisational identities of each unit, and their efforts to maintain their policy line (Relex and Dev) or create a more prominent role for themselves (JLS). These findings are significant for two reasons. The first is that they are in line with the theoretical propositions of organisational sociology that the thesis draws on, which emphasise ways in which actors within organisations give meaning to their role based on their remit, shared views of rules, and readings of appropriate ways to achieve objectives (Cini 2000; DiMaggio and Powell 1991a; Olsen 2003). The second is that these divergences counter assumptions made by the external governance literature, which explain the external dimension of migration as an *EU* endeavour to transfer particular (security-related) rules to third countries (Lavenex and Wichmann 2009). DG officials did not incorporate the external dimension in a

straight-forward manner in the first place, or agree on what the importance of different aspects of it was. Their assessment of migration in relation to their remit suggests a far more complex process of internal policy formulation than has been presented by external governance scholarship.

### *The significance of institutional structures*

The previous section outlined how officials portrayed migration priorities in relation to their assigned remit and established working procedures. We now turn to another question: how did the external dimension translate into DGs' institutional structures? In addition to assigned remit, officials working within organisations have formal structures that embody the role of the unit they are members of. Organisations are generally presumed to be designed in a way that corresponds to "rationalized concepts of organizational work and institutionalized in society" (Meyer and Rowan 1977: 340). Institutional structures are employed here to map how officials within the Commission relate to the organisational means available to perform tasks. These organisational means, or institutional structures as I will refer to them, are (like remit) formal references that feed individuals' interpretations of their role and the resources available to pursue it.

But what do we include in our definition of institutional structures? I define institutional structures as the provisions made in organisational hierarchies, and the human resources available (or made available) to pursue policy objectives. Each of the DGs studied here differs in the characteristics of their institutional structures, and the policy responsibilities they hold, within which the external dimension had to be incorporated. These structures are useful to identify how the organisation is endowed to perform tasks. At times of change, organisations tend to alter (to different extents) their institutional structures to incorporate new objectives, which provides actors with new points of reference and resources; it may also, however, expose difficulties in accommodating added responsibilities within existing perceptions and established procedures (Brunsson 1985; Cini 2001).

## (i) Organisational hierarchies

DG JLS was the DG that saw the greatest alteration—even creation—of institutional structures to accommodate immigration policy responsibilities. To embody its JHA-related tasks, the organisational hierarchy was divided into directorates that dealt with General Affairs (Dir A), Immigration and Asylum (Dir B), Migration and Borders (Dir C), Fundamental Rights and Citizenship (Dir D), Justice (Dir E), and Security (Dir F) (see Annex I for organisational chart). Migration matters were incorporated into the workings of various units within Directorates B and C. At the time of interviews there was, for instance, a unit for *immigration and integration*, another for *border management and return policy*, and one specific for the external dimension called *international aspects of migration and visa policy*.

JLS officials saw organisational structures as a response to the rationale of pursuing migration responsibilities—the external dimension included—as part of the EU’s internal security agenda. They saw its growing importance as an organisation, and the importance of its tasks, as reflected in its creation and in the growing emphasis (and prominence) of migration matters that impinge on the security of the Union.

This set-up stood in contrast to arrangements made in DGs Relex and Dev for the incorporation of migration policy goals. As mentioned above, these were not DGs dealing with a single policy domain. DG Relex handled a number of policy portfolios, but these were not pursued along sectoral lines in the DG’s organisational structure. The prevalent arrangement was for Directorates to cover geographical areas, and within them all relevant policies towards partner countries. For instance, there was a Directorate for European Neighbourhood Policy Coordination (Dir D), another for Eastern Europe, Southern Caucasus and the Central Asian Republics (Dir E), and a third for the Middle East and South Mediterranean (Dir F). These Directorates were in turn further divided into sub-regional groupings, and within these there were country desks. There were some organisational provisions made for the coordination of policies within and across sectors in DG Relex, but again they fell largely under regional arrangements. Like with remit, the structural response to

incorporating the external dimension did not challenge already-existing provisions for pursuing the DG's goals.

As for DG Dev, its organisational structure is divided along two lines: geographical and by policies. Some Directorates deal with regions within the ACP grouping, and within these Directorates there are sub-regional and country desks engaged in political dialogue with partners on issues of concern. Other Directorates are organised along particular approaches and policy priorities. There is one for horizontal issues of development cooperation, such as policy coherence and aid effectiveness, another for specific development policies, and a third for general affairs, with a unit for Pan-African issues and institutions, governance and migration (see Annex I for organisational chart). Again, in line with responses to remit changes, the DG's structure did not substantially change to incorporate migration policy objectives, but they were included in a way that was compatible with established procedures.

#### (ii) Staffing

In what concerns human resources, DG JLS had a considerable number of people working specifically on migration-related issues. In 2000, it only had one person working on the external dimension, who coordinated with other pertinent DGs new initiatives discussed at the time on the drawing of a common policy—a *migration correspondent*. By 2009 not only had DG JLS come to develop functions to do with migration in its units, as outlined above. It also came to have 22 people working on different issues related to this policy area: ten on international aspects of migration, another ten on immigration and integration, and two on borders and visas. Of these, 12 were involved in the external dimension. JLS officials explained that staff increases were in response to the DG being in charge of migration issues, and anticipated further expansions in the future.

In DG Relex staffing arrangements for the external dimension were different. During the decade of 1999 to 2009 there was only one post of migration correspondent in the



DG, in the unit for Coordination and Analysis (L3). The official assigned to this post was to discuss general objectives with other relevant DGs (mostly JLS and Dev), and within Relex to see how to integrate migration priorities into the workings of regional and country desks—although desks also worked directly with JLS (as the lead on the external dimension) and Dev to coordinate particular orientations with specific partner governments. However, no staffing increases within desks had been made for dealing specifically with migration issues at the time interviews were conducted. Instead, existing staff in regional and country desks were to relate new responsibilities to the portfolios they already had, and a *focal point* for migration was named in each Directorate.

When probed about how they went about taking in new priorities if no staff was specifically assigned, officials talked about being urged to “take stock” of migration and its relation to other policy areas they covered in external relations; they were required to attend training sessions in order to discuss how linkages between policies could best be pursued. They highlighted that they were not migration experts, and that they relied on JLS colleagues for input on this issue-area. Staffing arrangements in Relex, therefore, were not dedicated to the drawing of the external dimension to the same extent as JLS counterparts. As one official succinctly summarised it:

There have been no staffing changes to accommodate more work on migration, no. It is a new policy element that needs to be taken into consideration when we implement our policies towards our partner countries. In DG Relex there is a unit that coordinates all aspects of migration, L3, and so they follow more all the issues related to migration for Relex. Traditionally, there has been one focal point in each Directorate of DG Relex for migration. There was until recently a colleague in this unit who was the focal point on migration. So she was following a bit more the issues related to migration. But you know, this was because she was interested, it is not a specific decision to strengthen human resources on migration in DG Relex. This is simply because amongst our responsibilities we have to name one focal point on migration in each Directorate, and she was the one, and

she happened to be in this unit. But that is it. Otherwise no, there have been no changes. (DG Relex official, Nov 2009)

In DG Development, the presence of migration priorities in staffing arrangements exhibits some similarities with Relex. Post-Tampere, in 2000, one official was assigned half-time as migration correspondent for the DG. At the time of interviews in 2009, another person had joined full time to work on migration issues. It was mentioned by interviewees that the increase in staff was due to the Commissioner for Development at the time being interested in migration and development aspects. Like for Relex, migration priorities are incorporated to the agendas of regional and country desks in relation to development cooperation objectives they already hold, without making any additional staffing provisions. Dev's migration officials also work with colleagues in the DG who assess the impact of pursuing external dimension priorities on development goals—what is known as *Policy Coherence for Development* (Commission 2005d).

Each DG incorporated the external dimension of migration through different institutional structures. JLS had its migration-related responsibilities reflected in its organisational hierarchy, and a substantial number of people working in this policy area compared to the other two DGs. Relex and Dev largely maintained their organisational hierarchy, and few staff were assigned to deal with migration matters—mostly alongside other responsibilities they already held. Institutional structures are considered as a source of officials' readings of normative expectations, interests and goals of their organisation in organisational sociology accounts (Egeberg 2004). For officials working in JLS, institutional structures backed their focus on migration and its security aspects, whereas for Relex and Dev existing responsibilities continued to be dominant in organisational hierarchies and staffing provisions.

### **3.2 DGs' portrayals of each other**

This section moves on to the second factor employed to gauge organisational identity, namely how officials perceived the role of other DGs working in the external dimension, and how their view of “the other” sheds light on each unit’s prioritisation of migration policy objectives. The way DGs involved in the external dimension assess colleagues’ approaches exposes divergences in organisational thinking about each unit’s role in the external dimension. Differences are observed on two fronts: depending on the sectors covered by the DGs, and responding to the internal-external divide of EU policies.

Officials interviewed acknowledged that there were differences in the agendas pursued by DGs JLS, Relex and Development. Even though they conceded that divergences were often liable to lead to clashes when negotiating a common approach, they also emphasised that they led to complementary policy orientations. More specifically, they saw the external dimension, and in its more concrete form the 2005 Global Approach, as the embodiment of a compromise amongst different sectors and concerns. It brought together security-related objectives, legal migration management concerns, and development-related initiatives; these three aspects cover the remits of the three DGs involved in its drawing and implementation. The inclusion of these different objectives under the external dimension is interesting theoretically: it illustrates how organisations bring together and pursue various interests simultaneously (Brunsson 1985). However, when coordination is required between units, or when decisions have to be taken, different views derived from these units’ ideologies and perceptions become manifest (Brunsson 2002; March and Simon 1967).

These clashes were illustrated through officials’ assessment of how colleagues in other DGs ought to handle and pursue priorities. The overarching divide in officials’ image of “the other” was generally between internal and external policy objectives, and more specifically between the responsibilities held by JLS in overlooking internal security affairs, and Relex and Development in conducting external relations

with neighbouring and ACP countries, respectively—in other words, along sectoral lines. The internal-external divide confirmed that all DGs recognised that external dimension priorities were complementary, but it also suggested that the different components of complementary policies are not deemed equally important by DGs. Instead, policy orientations are assessed in relation to the remit of each unit and whether its own focus was internal or external. Below, I will first address how JLS officials viewed the role of Relex and Development, and then how Relex and Development viewed JLS. I argue that studying DGs’ self-image and portrayals of other DGs further exposes that officials within the Commission’s units incorporate policies according to their unit’s remit, as well as the location where objectives are defended and pursued—internally or externally.

#### *DG JLS’s view of Relex and Development*

The way JLS officials reflect on the roles of the Commission’s external services, Relex and Dev, highlight two of the DG’s concerns. The first is with deciding on the strategy to follow depending on the geographical position of the third country relative to the EU. The second is maintaining its role as a lead DG in external dimension issues, and ensuring that it sets other DGs’ policy orientations.

JLS officials differentiate between Relex’s and Dev’s external dimension tasks based on the geographical position of partner countries covered by these DGs vis-à-vis the EU’s borders. As one official emphasised, the focus for North Africa (covered by Relex), for instance, is distinct from that for sub-Saharan Africa; “the angle is totally different” (DG JLS official, Sep 2009). This conceptualisation of other DGs’ function is significant because it again highlights that JLS views migration policy based on internal security imperatives. JLS officials argue that if neighbouring countries do not have effective migration control mechanisms, the consequences will be felt in Europe with irregular migrants arriving in its territory, and the EU having to bear the brunt of lack of control in third countries. For this reason, JLS officials expect Relex to guarantee that the short-term, security-related aspects of migration

policy are addressed in relations with neighbours. For JLS, Relex ought to ensure that partners, who are countries of transit and origin of migrants, share the responsibility for dealing with irregular migrants. Therefore, JLS views that Relex's concern should be with maintaining dialogue that prioritises border reinforcements and control of irregular migration to allow for increased and managed mobility in the future between the EU and neighbouring partner countries.

In as far as Relex is to tackle more developmental tasks (which are also part of their remit, as seen above) it is in view of supporting the building of capacities for managing south-south migration. The latter, however, "is an overall consideration of migration policy, not related to our internal policy needs. It is not necessarily related to flows into the European Union that need to be better managed" (DG JLS official, Sep 2009). The fact that Relex's remit covers different areas as part of the EU's external relations is not seen by JLS as meaning that Relex should weigh one policy against the other. Instead, Relex should have "no view" on the policies it handles and should adopt a "sticks and carrots" approach to advance migration policy goals. Albeit recognising Relex's balanced and positive stance towards third countries, and one which JLS "fully respects", they believed that Relex ought to be creative and find a way of advancing restrictive migration control measures against other priorities. This view was most palpable when JLS officials spoke of readmission negotiations. On dealings with Morocco on this issue, for instance:

DG Relex is of course really aware that it does not please the Moroccans, and in any case they have many other files with them on which they want to progress. So they do not want to make a lot of problems related to readmission. But we believe that it is really the job of Relex to find a policy mix. (DG JLS official, Sep 2009)

It was around the issue of readmission that JLS officials were most frustrated by Relex, who they saw as not giving the necessary attention to security-related aspects that impinged on internal issues. In addition, they emphasised that if the Commission was not successful in getting results in negotiations, it would be JLS, or the Commissioner in charge of JHA, who would be criticised by member states at the

JHA Council (interactions between member state interlocutors and DGs are addressed in detail in the next section).

The development-related aims of migration were in turn seen as largely falling within DG Development's responsibilities. As a JLS official put it, the focus for sub-Saharan Africa, which is Dev's responsibility, "*should be migration and development*" (DG JLS official, Sep 2009; emphasis by interviewee). As most migrants transiting through neighbouring, North African countries originate from sub-Saharan African countries, DG Dev's work is deemed as essential in avoiding security-related concerns emerging in the long term. Nine *priority countries*<sup>17</sup> were identified as ones from which most irregular migrants originate, and as targets for Dev's work on migration. In this case, JLS supports a more preventive approach to dealing with migration concerns, although sub-Saharan Africa being further removed from the EU's borders plays a part.

Even though the external dimension is *global*, Sub-Saharan Africa is seen as a priority for Dev's work over other regions covered by the DG. When probed about this an official said that more work was envisaged for the Pacific islands in the future; so far the priority had been migratory routes passing through North Africa due to the urgency of the problem. However, in terms of approach to the migration issue, the fact that Dev had adopted the external dimension agenda in line with its ethos and traditional policy line was not seen as problematic by JLS. It was actually applauded. Admittedly, some officials in JLS were of the view that "even more could be done". But for the most part they conceded that Dev had been quite active in placing migration systematically on their agenda by organising meetings on the issue between all parties involved, considering policies they already handled in relation to

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<sup>17</sup> Priority countries are Mauritania, Senegal, Ghana, Democratic Republic of Congo, Ethiopia, Kenya, Tanzania, Mali and South Africa.

migration concerns, and most notably by launching their initiative of *Policy Coherence for Development*. Dev officials were seen as effective in “doing their business”, albeit JLS nonetheless seeing itself as a point of reference:

DG Dev is taking a lot of the burden regarding the migration and development business. So they have put in place some works on these aspects. It relieves us of a certain burden, but at the same time we remain connected and political orientations are still defined in the JLS sphere, with the JLS working groups and so on. (DG JLS official, Sep 2009)

There was very little mention of readmission or restrictive measures with sub-Saharan Africa in interviews with JLS officials. Even though there were some initiatives in place to advance security-related objectives with countries of the region, for instance on travel document security with Nigeria (a traditional migration control priority), these were not brought up with the same urgency as when JLS spoke of Relex’s role. In fact, officials in JLS that spoke of security-related orientations vis-à-vis sub-Saharan Africa said these were generally pursued when there was interest and engagement from the third country in question. Admittedly, officials recognised that readmission and security-related objectives were very difficult to discuss with Sub-Saharan Africa; this view was confirmed by Dev officials.

The difference in views of the external services brings to the fore JLS’s conceptualisation of priorities relative to the security of the Union, rather than to comprehensively tackling all aspects of the external dimension. JLS’s arbitrariness when it comes to defining other DGs’ roles on the external dimension, and more specifically regarding the concrete orientations embodied in the Global Approach, stems from its officials’ belief that political orientations for migration are defined in their sphere. The views of DG JLS are consistent with external governance accounts of the external dimension of migration, which argue that the EU views neighbouring regions as sources of soft security threats and defines migration priorities accordingly (Kelley 2006; Lavenex 2004; Lavenex, Lehmkuhl and Wichmann 2009; Smith and Weber 2007). However, JLS’s stance towards the external dimension is not representative of the content of the EU’s, and more specifically the Commission’s

internal policy processes. As will be seen below, Relex and Dev see JLS's leadership and prioritisation of the security aspects of migration as somewhat inefficient in achieving results, especially in view of external services' experience in dealing with third countries and other policy areas. Their view, as DGs involved in the external dimension, adds complexity to the process of policy formulation and dispels assumptions that the Commission agrees on EU rules and their content.

*DGs Relex and Development's views of JLS*

Relex and Development's views mainly reflected their scepticism that JLS's security-focused priorities would be conducive to achieving a comprehensive approach to migration policy on behalf of the EU. Their doubts were expressed along two lines. The first was in relation to their own remit and experience in dealing with third countries; they saw that JLS's approach was not appropriate for getting results. The second was linked to JLS's leadership position in the external dimension, and how it might interfere with Relex and Dev's established policy line vis-à-vis partners and the policy areas they held.

Relex and Development drew on their knowledge of partners, and on their assessment of what the latter may or may not accept, as the basis for claiming that the prioritisation of migration control measures, as insisted upon by JLS, would not achieve comprehensive results. As a DG Development official pointed out, JLS's sectoral focus stops the DG from being able to weigh between development and labour market considerations, on the one hand, and security concerns, on the other. Development and labour migration issues were elements that Dev and Relex saw as not being sufficiently considered in JLS's strategies, which is consistent with their reading of their own remit. They conveyed that the precedence of JLS's security-related considerations actually hindered the achievement of progress with partner countries. This was particularly the case for Relex, who is expected to a greater extent than Dev to advance restrictive measures—especially readmission—in relations with neighbouring countries.



The external services explained JLS's stance as a result of being primarily sensitive to internal EU agendas, and to the policy line preferred by ministries of interior and justice at member state level. In following this rationale, JLS is portrayed as not always being responsive to the wants and requests of third countries, which is seen as "a problem" for achieving results. Relex officials indeed said that they tended to be "more sensitive" to the concerns voiced by partners—that it is difficult to get visas, for instance, or that there are issues of respect and equality at stake in relations with the EU—than their JLS counterparts. These complaints "make sense" to Relex officials, just like Dev insisted that it is their responsibility to make sure that partners' preferences are not overlooked in relations with the EU. Therefore, by referring to their areas of work and experience in dealing with partners, Dev and Relex highlighted their criticism of the approach advanced by JLS.

Criticism of JLS exposed the external services' concern regarding interference with their own approach to the external dimension and to their remit in general. A clear example of this relates to a proposal by JLS at the time of interviews that the work conducted under the framework of the Global Approach ought to be better coordinated within the Commission. Until then, coordination had taken place through inter-DG (in EU jargon inter-service) consultations once a new proposal or initiative was being discussed or drawn. DGs were involved depending on the geographical area they covered and the remit they held.

A DG Dev official explained that JLS argued that there was no formal mechanism to coordinate between DGs on the Global Approach; it was "a bit of a mess" with "things happening everywhere". JLS wanted to have greater control. The idea was for the Commission to chair the group, and for member states to be part of it; it was meant to be a sub-group of the HLWG in the JHA Council. Even though in principle the external services agreed on the need to establish such a group, they emphasised that the trouble was in deciding who would chair on behalf of the Commission. The external services recognised that with it being the Global Approach, JLS felt entitled to lead in the endeavour. However, they claimed that coordination impinged on

application, and that the latter took place out-with Europe's borders. As such, external services saw themselves as the appropriate leaders for such a group: "it is clear that we cannot trust JLS with responsibility for such a group because, really, it will delve deep into our normal work" (DG Dev official, Oct 2009). The same official noted that, as was usual practice, the matter may be resolved by having two DGs co-chairing for the Commission. Leadership of the group, however, was eventually settled as having a rotation basis, with DGs chairing depending on the issue at hand.

This incident is useful for illustrating Relex and Dev's resistance to JLS setting the external dimension agenda where it impinges on them carrying out their remit. It also, however, brings out tensions regarding who is in charge of the Global Approach. The external services were aware of the institutional growth of JLS, which they viewed as an indication of the place of migration concerns on the EU's agenda. They also continuously referred to JLS as officially holding the migration file, and the DG's position as central and likely to remain so because of the security focus migration has within EU circles. At the time of interviews, the ratification of the Lisbon Treaty was still to come through. A Dev official reflected on discussions at the time on splitting JLS into two DGs, one for Home Affairs and another for Justice, with migration falling under Home Affairs.<sup>18</sup> The official also referred to internal discussions whereby having a Commissioner for Security and Migration was being considered—although this has not materialised so far.

It is typical that this kind of idea comes up, to have a Commissioner for Security and Migration, and you do not have a Commissioner for Employment and Migration, which

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<sup>18</sup> DG JLS was indeed divided into DG Home Affairs and DG Justice when the Commission was re-organised following the ratification of the Lisbon Treaty in December 2009, and migration now falls under DG Home Affairs.

would be reasonable, or Development and Migration. (DG Dev official, Oct 2009)

So even though Relex and Dev were cognisant of JLS's institutional dominance, they were also keen to highlight *their* role in making sure that “certain things do not happen”, or in “watching over initiatives”; in other words, they saw themselves as responsible for ensuring that JLS does not become too dominant in the external dimension. Relex and Dev officials referred to their efforts to have an input in how policies are pursued and initiatives drawn, even if they have often not managed to convince “their bosses” of the suitability of reconsidering the approach the Commission had pursued so far.

These findings are relevant from a theoretical perspective on two fronts. First, and as mentioned earlier in the section, they add a degree of complexity to the processes whereby the Commission integrated the external dimension of migration that remains unaccounted for by external governance accounts. Specifically, divergent views on what DGs' roles are poses questions on the extent to which the external dimension can be assumed to be focused on security goals following a sectoral (EU) logic (see for instance Lavenex and Schimmelfennig 2009; Lavenex and Wichmann 2009). Second, divergent assessments of roles and appropriate ways of pursuing policy constitute an empirical illustration of some of the propositions put forth by organisational sociology approaches. Actors in DGs JLS, Relex and Dev interact in ways that bring out how each of their units conceptualise problems and their solutions, and exemplify internal processes within complex organisations when various ideologies come together to discuss policy solutions (March and Olsen 1989; March and Simon 1967).

### **3.3 Interlocutors and the organisational environment**

As illustrated above, DGs mostly work with one another on the external dimension, but they do not do so in isolation; they are not self-contained organisations. They function in particular political and sectoral environments in which they interact with

interlocutors at member state level, as well as third country counterparts when it comes to a policy such as the external dimension. This section examines the third component of organisational identity: how DGs JLS, Relex and Dev deal with various interlocutors at member state level and/ or third country counterparts. Their interaction with these actors is argued here to give the Commission's units legitimacy in political discussions internally and externally, and in the sectors of which they are part. It also contributes to DGs' sense of organisational identity.

*Interlocutors at member state level*

Each body of the Council has its own interests. For the JHA Council readmission is extremely important. For the Agricultural Council, the price of tomatoes and the production of tomatoes in Morocco are extremely important and they are not ready to play with that for the sake of the readmission agreement. (DG JLS official, Sep 2009)

As the above quote illustrates, DGs working on the external dimension rely on particular interlocutors, or ministries, at member state level for defining political orientations and the space for manoeuvre in relations with partners. This is particularly the case for JLS and Relex, who represent the Commission in sectoral councils—JLS at the JHA Council, and Relex at the General Affairs and External Relations Council. The JHA Council is mainly composed of ministers of justice and interior. As for the GAERC, it is mostly (if not entirely) made up of ministers of foreign affairs. However, the migration file rests with the JHA Council, and it is there that its external dimension is mostly discussed.

Interlocutors at member state level are a point of reference for DG officials, and are said to be the ones who set the Commission's parameters for drawing initiatives

related to the Global Approach.<sup>19</sup> They are also attributed with being the source of some of the divergences that emerge amongst DGs on preferred orientations for tackling particular policies such as migration. As one Relex official described, by them talking to ministries of foreign affairs, and JLS to ministries of interior, the impressions received are different. Foreign affairs officials at member state level, similar to Relex and consistent with a sectoral reading of priorities, convey that there could be “certain openings” and that “a certain dialogue could be established. On the contrary our colleagues [JLS] are always talking to the hardliners and, therefore, they have very limited margins for proposing new initiatives” (DG Relex official, Oct 2009).

JLS did indeed refer to ministries of interior and justice at member state level as influencing their agenda, and as applying pressure on the DG to advance migration control measures in relations with third countries. The DG did, as seen above, consider these measures as coherent with its internal security remit. But in addition, it also saw itself as accountable to member states in it being the DG representing the Commission at the JHA Council, and in being the leader of the Global Approach: “If we do not succeed in getting results, it is always the Commissioner in charge of Justice and Home Affairs who is going to be criticised by the member states” (DG JLS official, Sep 2009).

The issue of accountability was said to be one of the reasons why the DG was so insistent on readmission and migration control, even though sometimes it recognised that a more positive stance could be conducive to having a stronger negotiating position vis-à-vis partners. JLS officials concurred that having to respond to interlocutors at member state level was an important consideration in JLS’s

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<sup>19</sup> This set-up has to do with the Commission’s sharing of competencies on migration with member states during the period studied in the thesis (see chapter 1).

prioritisation of objectives for the external dimension. Not only did member states define some of the leverage the Commission could have for negotiations—for instance on readmission and the offering of legal migration provisions. They also endow JLS with a certain degree of legitimacy in pursuing their internal security remit in a way that is consistent with its sectoral environment.

Accountability to the member states at the JHA Council, however, was also a source of frustration for JLS. Officials in the DG were cognisant of the difficulty of advancing restrictive policies as part of the Community framework, especially in what concerns access to European domestic labour markets, which remained under member state competence. These limitations were particularly poignant in negotiations conducted with third countries, which will be explored in more detail in chapter 5. Suffice to say here that JLS, despite defending the pursuit of restrictive measures, also differentiated between the Community's interests and the national ones of member states.

These issues of accountability and legitimacy bring out the way in which JLS views member states as a reference for its security-related approach, but they also highlight the DG's attempts or wishes to have the tools to perform its tasks more independently. The DG vied to create a stronger role for itself as an organisation whilst recognising that it had to respond to the JHA Council. Its concern was to be able to reconcile internal interests without undermining its position as a DG, or that of the Commission as an overarching organisation.

Of the three DGs studied in the thesis, JLS was the one that referred the most to ministries at member state level in explaining its position and outlining its constraints. Relex officials, in turn, spoke of their member state interlocutors, ministries of foreign affairs, as the ones backing their more open stance towards third countries. Along sectoral lines, Relex officials identified with their foreign affairs officials, but they recognised that due to migration falling under the JHA Council, the last word remained with the ministries of interior and justice—a matter that was also seen as a constraint for the DG. As for DG Development, they were critical of

member states' security focus at the JHA Council, but did not refer to any government interlocutor in particular. What Relex and Development *did* concentrate on, however, were relations with partner countries.

#### *Third country counterparts*

Most of the work carried out by DGs Relex and Dev involves dealing with neighbouring and ACP third country counterparts, respectively, on a regular basis, and conducting political dialogue with them on behalf of the Community. (JLS is, however, involved when readmission is negotiated.) Their focus was therefore on the way the Commission came across in negotiations, and the image they thought was appropriate to convey to partners; this image ought to be one that was coherent with the DGs' remit. Rather than seeing themselves as accountable to member states at the JHA Council as JLS did, they expressed their priority in maintaining good relations with third countries. At the JHA Council the external services were more concerned with ensuring that their approach to third countries was not jeopardised by the JHA agenda. Again, this responded to their DGs' responsibilities, but it can also be seen as the organisational environment from which these DGs derive legitimacy for their work—relations with third countries.

As discussed in the previous section on DG images of one another, Relex and Development emphasised the importance of their knowledge of the third countries they dealt with as the basis for the policy options they advocated. Rather than absorbing the primacy of achieving the security-related aims of migration, the external services cited their knowledge of third countries as a basis for assessing the (in)appropriateness of JLS's, and consequently member states' interior and justice ministries, migration policy prioritisation. Responding to third countries' interests and taking their concerns seriously was a crucial for Relex and Dev.

DG Relex officials recognised that it was important to have certain security assurances in place for dealing with migration concerns. They did not dismiss the

restrictive aspects of migration policy, but they portrayed them as issues that were also of concern to third countries, and that needed to be discussed in conjunction with, and accompanied by, efforts in legal migration provisions and development-related goals. Relex interviewees were pessimistic about being able to achieve readmission agreements without being more sensitive to the wants of third countries. They many times referred to the qualms posed by partner governments as understandable, and stated that the implicit approach of pursuing readmission before any other policy concessions are discussed (more on this in chapter 5 dealing with implementation patterns) would not be conducive to results and was doomed to fail: “Our third country partners in the Maghreb will *never* accept the readmission agreements as stand-alone agreements. *Never*” (DG Relex official, Oct 2009; emphasis by interviewee).

Development officials were even more adamant than Relex in emphasising that the approaches they adopted had to be embraced and agreed upon by the third countries they dealt with—and consistent with development cooperation goals. They strongly denounced negotiating priorities on the basis of conditions or EU interests, and clearly stated that they were against conditionality of any sort and very strict about not using it in their work. In fact, Dev officials mostly spoke about initiatives that were initiated or had the support of ACP governments.

Considering third country priorities is consistent with Relex and Development’s reading of their remit—they are external relations DGs that are meant to advance certain policies. However, being responsive is necessary for these DGs to have a certain degree of credibility and legitimacy with partners. Many officials said they could not argue with partners that the Global Approach was coherent and comprehensive given the security focus it had, especially with neighbouring countries. Similarly, in instances where the member states had wanted to advance certain agendas, Relex officials in particular were quick to clarify that they could not allow that to happen if they were to be taken seriously by their counterparts. Their legitimacy and image was at stake.



In contrast, for JLS third countries were not a source of legitimacy or accountability as they were for the external services. Instead, JLS officials saw third countries as somewhat obliged to cooperate with the EU because of the benefits they derived from being EU partners. In terms of migration, they were seen as necessarily sharing responsibility for managing migratory flows, particularly when it came to signing readmission agreements. Third countries were expected to cooperate because “if they consider themselves privileged partners, and they hear from their partners [the EU] that it is quite important for them to sign a readmission agreement, then I would say that as a privileged partner you sign it” (DG JLS official, Nov 2009).

The way DGs rely on particular sectoral and political environments as sources of legitimacy for their roles in the external dimension of migration policy resonates with the theoretical propositions presented in chapter 2. Actors engage with their environment in setting and following organisational goals (DiMaggio and Powell 1991a; March and Simon 1993), and in drawing support for their initiatives (Cini 2000; Nugent 2000). Complex organisations thereby derive legitimacy by representing a variety of agendas and interests in a number of environments (Brunsson 1985): in this case external relations, JHA and development cooperation. As such, the external dimension of migration policy is not discussed solely in relation to security-related objectives, or by networks of security officials (Lavenex 2008; Lavenex and Schimmelfennig 2009; Lavenex and Wichmann 2009). Rather, it brings together the considerations of divergent sectors, policy preferences and political environments.

### **3.4 DGs’ convergence as part of the Commission**

As seen throughout this chapter, DGs mostly derive their organisational identity from the sectors in which they work. Their portrayals of their function in the external dimension, of other DGs, and the environment (member state interlocutors and partner countries) suggest that pertaining to particular sectors and environments is an important element for actors forming an organisational identity for the unit they work

in. Sectoral points of reference endow actors with views on how policies ought to be conducted, what approaches they should prioritise in line with their remit, and how to deal with the environment from which they derive legitimacy (and to whom they are accountable at times). These findings are in line with the theoretical propositions advanced by the organisational sociology literature (Cini 2000; DiMaggio and Powell 1991a; March and Simon 1989; Nugent 2000; Olsen 2003).

Despite being part of an overarching organisation (the Commission), DGs expose differences in how they see themselves in relation to common policies. It would be inaccurate, however, to portray these differences as leading to DGs considering themselves as stand-alone units. Even though the thesis suggests that the Commission is better conceived as housing divergent readings of common policy objectives, interviews with officials suggested that DGs viewed their work as contributing to the Commission's overall functioning; their role was a necessary component of the Commission's approach to issues of concern. Officials referred to how their handling of migration could be conducive to the organisation having a more comprehensive stance, or to the Commission achieving better results in its policy objectives. Similarly, shortcomings were seen as compromising the Commission's credibility and legitimacy, as well as limiting what they could advance. Convergences were most clearly observed when DGs saw themselves in opposition to member states. Making an assumption on the specific motivation for DGs' references to the Commission will remain beyond the scope of the analysis, but it is an observation worth including. It was one of the ways in which officials explained their role, and it constitutes an additional dimension to take into account in organisational analysis (the theoretical implications are discussed in the Conclusion).

Member states' stances were seen as problematic by DGs in that they stood in the way of achieving the Community's comprehensive objectives. JLS, for instance, referred to the economic interests of EU governments as sometimes compromising migration policy objectives. In addition, member states' pursuit of bilateral relations on certain issues detracted from the Commission's capacity to achieve Community

results. Similarly, Relex officials working with Mediterranean countries described their efforts not to allow member states' domestic concerns to seep into dialogue with their counterparts in a way that compromises the Commission's credibility.

Despite references to accountability vis-à-vis member states (in particular as expressed by JLS), and to deriving positions responsive to pressures stemming from the national level, advancing domestic priorities through the Commission was denounced by all officials as unacceptable. Member states' attitude to channelling domestic migration concerns is seen as undermining the Commission's role and is opposed by all DGs alike. This is especially the case when it comes to legal migration and areas where the member states retained competence at the time of interviews. Hopeful of the Lisbon Treaty, officials highlighted that ceasing to share competencies with member states may help in achieving more cohesive policies, "in the sense that qualified majority voting will help put in place better legislation than what we have now, this patchwork of everything. So better legislation, the involvement of the European Parliament could counter-balance a bit, and they could also place more emphasis on legal rather than illegal migration" (DG JLS official, Sep 2009).

In fact, member state positions are often seen by Commission officials as hindering the fulfilment of their mandate, and as making it very difficult to get reasonable conditions for negotiating migration-related measures, policies and initiatives. In speaking about the member states, therefore, DG officials evoke the Community's interests, and the fact that they have a position and credibility to guard in defending them. So even though the rationale for particular approaches differs amongst DGs, they nonetheless agree on the need to more exclusively hold competence and decision-making leverage at Commission level. For instance, with regards to the creation of the inter-DG coordination group, albeit having exhibited tensions between them in what regards leadership and representation, the endeavour was also seen as a sincere effort to "get more of a grip on the coordination of the Global

Approach. *The Commission*. Not so much JLS or Development or Relex or whatever. But the Commission” (DG Dev official, October 2009; emphasis by interviewee).

## **Conclusion**

The chapter illustrates that officials derive a sense of organisational identity from three factors: shared readings of their DGs’ remits and institutional structures, views of how other DGs ought to conduct policies related to the external dimension (responding to sectoral imperatives, but also divisions between internal and external objectives), and the sectoral and political environment on which they rely for legitimating their role and approach.

DGs employ their remit and the institutional structures available to perform it as references for conveying their approach to the external dimension of migration. DG JLS saw itself as the lead DG in this approach, and conveyed its view of the way Relex and Dev ought to prioritise migration objectives responding to security imperatives defined in the JLS sphere. JLS employed the external dimension to strengthen its organisational role. Relex and Dev, on the other hand, had well-established working procedures and approaches to a range of policies they already handled and implemented. Migration was an additional consideration that had to be incorporated alongside their existing agendas.

DGs assessed their role in relation to their sectoral and political environments. JLS responded to interior and justice ministry officials, and in part justified its stance as being informed by constraints in that regard. Relex referred to foreign affairs ministries at member state level as backing its more progressive stance, and to commitments in its relations with neighbouring third country governments. Development was keen to highlight that its reference point was the relations it conducted with third country governments on development cooperation. Each of the DGs, therefore, resorted to particular sectoral and political references to validate and legitimise their role and stance on the external dimension. These responses to the

incorporation of policy responsibilities resonate with the organisational sociology literature, and its propositions on the way actors make sense of their role and the function of their organisation (DiMaggio and Powell 1991a; March and Olsen 1989).

Divergences in the way DGs make sense of their role in relation to the external dimension of migration have implications on the possibility for generalising on EU rules on migration, as external governance accounts do. The next chapter will go into further detail and examine how DGs perceive particular migration policy orientations, and how they prioritise their pursuit at a conceptual level.

## **Chapter 4 - The external dimension of migration: perceptions and prioritisations**

In this chapter I examine how external dimension policies are perceived and prioritised by actors in each of DGs JLS, Relex and Development. The chapter proposes that perceptions and prioritisations of specific policies falling under the external dimension are largely derived from the organisational identity of each DG. In the previous chapter, I argued that organisational identity was conveyed through three factors: each unit's remit and institutional structure, portrayals of others' roles in the external dimension, and DGs' sectoral and political self-legitimising sources. Here, I will argue that these points of reference inform how officials view the different components of the external dimension of migration.

The approach endorsed in the chapter for examining actors' perceptions and prioritisations of the external dimension disaggregates propositions put forth by the external governance and securitisation literatures. External governance advances that the external dimension is concerned with the pursuit of security objectives, in line with internal priorities and established sectoral cooperation patterns at EU level (Lavenex 2006; Lavenex, Lehmkuhl and Wichmann 2009). Securitisation scholars also advance that migration has been framed as a security issue, and migration policy is portrayed as responding to various perceptions of threat (Buzan 2003; Huysmans 2000; Rudolph 2003; Wæver 1995). This chapter demonstrates that DG officials within the European Commission diverge in their interpretation of both restrictive and preventive policies and orientations, which raises questions regarding the possibility for generalising the EU approach as unitary and largely security-driven. Close examination of officials' readings of specific tools and policies sheds light on the relative weight each DG gives to particular orientations. This finding supports the theoretical propositions advanced in the thesis that officials derive particular ways of

thinking about policies and solutions to problems depending on their departmental allegiance and established working procedures (Brunsson 2002; DiMaggio and Powell 1991a; March and Olsen 1989). They also suggest that external governance (and securitisation) approaches would benefit from taking internal Commission dynamics into account in their theorising.

In order to illustrate the argument, the chapter focuses on specific policy initiatives that correspond to the three components of the external dimension to examine actors' perceptions and prioritisations. These policies were chosen based on the emphasis placed on them by Commission officials themselves. In the first section, I give a brief overview of the external dimension, more specifically embodied in the Global Approach and its different policy components, based on official EU documentation. The aim is to trace the evolution of the external dimension at official level over the years, and how different elements came to form part of it. The following sections analyse each component and specific policies in detail largely based on interview material. In the second section I shall analyse the restrictive aspects of migration policy, concentrating on officials' portrayal of *readmission* issues with partner countries. The third section turns to legal migration management, and more concretely what are known as *mobility partnerships* and *circular migration* initiatives. The fourth and final section concentrates on the *migration-development* nexus, studying the linkages made between these two policy areas.

#### **4.1 A global and comprehensive approach**

The Global Approach to migration can be defined as the external dimension of the European Union's migration policy. It is based on *genuine partnership* with third countries, is *fully integrated* into the EU's other *external policies*, and addresses *all* migration and asylum issues in a *comprehensive and balanced* manner. Adopted in 2005, it illustrates the ambition of the European Union to establish an *inter-sectoral* framework to manage migration in a *coherent* way through political dialogue and close practical

cooperation with third countries. (Commission 2008: 2; emphasis added)

So does the Commission summarise the components of its strategy for the external dimension of migration policy, known since 2005 as the Global Approach. As has been highlighted earlier in the thesis, two elements were novel about this strategy. The first was that it introduced migration policy objectives as part of the European Union's relations with third countries—hence, it had to be incorporated into the workings of various DGs covering different sectoral agendas. The second related element was that it sought to pursue and achieve migration policy goals through an approach that would bring these sectors together in a comprehensive manner. This aim was presented, in theory, as espousing all aspects of migration policy, restrictive and preventive ones alike, in a cohesive and complementary manner.

This chapter assesses how DGs prioritise objectives in relation to their sectors, and whether their perceptions are consistent with a comprehensive and coherent Commission approach to the external dimension of migration—as is portrayed at rhetorical, political level. Before embarking on the analysis, however, it is pertinent to review what the tools underlying restrictive and preventive approaches are—the specific policies officials consider in relation to their portfolios.

#### *Drawing the Global Approach*

The official endorsement of what has come to be known as the external dimension of migration policy dates back to the Special JHA European Council held in Tampere in 1999. The Presidency Conclusions called for the drawing of a comprehensive EU policy that addressed “political, human rights and development issues in countries and regions of origin and transit” through tools such as “combating poverty, improving living conditions and job opportunities, preventing conflicts and consolidating democratic states and ensuring respect for human rights” (Council 1999: 3). These so-called preventive measures (which were expected to deal with the root causes of migration) were to be taken in partnership with third countries, and to



come to form part of the Union's external relations. They were also to be accompanied by restrictive policies, aimed at controlling irregular migration flows and building third countries' capacity to deal with them (ibid).

In the years following Tampere, European Council Conclusions consistently addressed the external dimension of migration policy (see for instance Council 2000, 2001, 2002), and called for an EU strategy first to be drawn and later pursued (Boswell 2003). The beginning of the 2000s saw the emergence of Commission Communications and policy proposals that started engaging with the aim of comprehensively tackling the goals of the external dimension, and which resulted in the adoption of the Global Approach in 2005 (see chapter 1 for details of the context in which the external dimension developed).

The Global Approach is composed of three elements, which in principle correspond to the preferred policy line of each of the DGs involved in its implementation. The first element is that of *irregular migration control*. Policies falling under this component are restrictive in nature, and are consistent with the internal security agenda pursued by DG JLS. The second and third elements of the Global Approach are preventive, and Relex and Dev are more sympathetic to them. *Legal migration management*, the second element, aims at organising migration flows for legitimate purposes in a way that benefits all parties involved (receiving and sending countries, and migrants themselves). Due to its synergetic and balanced characteristics, this component of the Global Approach is seen as potentially the most effective to pursue migration management objectives with third countries by DG Relex. The third element of *migration and development* focuses on traditional development cooperation policies, how they relate to migration flows, and how development aims can be safeguarded from the effects of dealing with migration issues. DG Development embraces the migration and development agenda, and has come to qualify this element of the Global Approach as migration *for* development. Below is a brief overview of each of these elements.

*Irregular migration control*

This element comprises short-term measures traditionally associated with migration control, and was the preferred method of European states to deal with migration challenges at domestic and EU levels before preventive approaches were endorsed in 1999 (see chapter 1). Transposing control measures onto the external dimension has been described as a “logical extension” of the rationale that guides the methods employed internally (Boswell 2003: 623). Internal migration concerns are encompassed under the 2004 Hague Programme. The strategy is based on an overall aim of establishing and strengthening the EU as an area of freedom, security and justice for its citizens. In relation to migration specifically, it covers support for immigrant integration, but it also dedicates a fair amount of attention to the aim of securing internal and external borders, devising appropriate visa information systems, and ensuring that migratory movements are legal and properly managed (Commission 2005c). In the document, these concerns are directly linked to the challenges posed by irregular migration. The ultimate goal at the internal level is to devise a framework for controlling migrants’ entry, stay and return in a way that is consistent with security and justice goals.<sup>20</sup>

The rationale for incorporating irregular migration control as part of the external dimension is based on the argument that third countries need to be on board in order to efficiently manage migratory flows. If third countries have appropriate mechanisms in place, they can deal with irregular migration themselves, as well as cooperate and coordinate with the EU when the latter has to return migrants to their countries of origin or, as stipulated by readmission agreements, to the countries through which they transited to reach Europe. Therefore, the specific tools that fall under irregular migration control range from assisting third countries in building their capacity to deal with migration flows—border management and surveillance,

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<sup>20</sup> The placing of migration under JLS—sectorally—is an indication of this.

document security, and migration-related legislation and policies, for instance—to concluding readmission agreements with partner governments.

The first document that explicitly dealt with the external dimension, its initial progress and future projections was a 2002 Commission Communication on *Integrating Migration Issues in the European Union's Relations with Third Countries*. Even though it highlights the importance of pursuing an approach that not only focuses on irregular migration control, the latter is presented as a pivotal element, and in fact one that the Commission had already begun working on. The Communication covers measures that had been put in place at the time, which were summarised as contributing “directly to third countries capacity to manage migration flows” through “border management, fight against illegal migration, migration management” (Commission 2002a: 18). In addition, the initiatives reviewed had a strong geographical spin: they were most specific in relation to neighbours—the Mediterranean, the Balkans, Eastern neighbours and to a certain extent Central Asia, more vague in reference to Latin America and Asia, and for ACP countries a preventive strategy was advocated instead (more on this in section 4.4).

The restrictive aspects of the external dimension, therefore, are related to Europe's internal concern with being able to control irregular migration, and to neighbours in particular having in place the tools to deal with migratory flows before irregular migrants reach Europe. The expectation is that if neighbouring countries have the technical and financial capacity to deal with irregular migration, they will be able to control not only that their own nationals do not migrate to Europe irregularly, but also that those who transit through their territory do not enter it in the first place, or can be returned to their countries of origin. In addition, being able to conclude readmission agreements between the EU and third countries would make the latter liable to take back, in addition to their nationals, nationals of other countries who have transited through their territory en route to Europe.

The issue of readmission is in fact quite prominent as part of the external dimension. The 2002 Communication discusses the difficulties in concluding these agreements,

and recognises that third countries need the EU's support in dealing with migration issues. Support is considered in terms of leverage and incentives, in particular in view of the terms envisaged for readmission agreements. For instance:

As one of the main problems with illegal residents is the lack of identification documents and the corresponding difficulty in establishing his/ her nationality, it would often be appropriate *to cover also third country nationals*.  
(Commission 2002a: 25; emphasis added)

Readmission would be costly for partners in terms of repatriating third country nationals and absorbing returnees. However, offering support for negotiating readmission and dealing with returnees is not the only kind of policy covered under irregular migration control. Commission documents also address ways in which third countries' institutional capacity can be strengthened. One of the more recent documents, the 2008 Communication on *Strengthening the Global Approach to Migration: Increasing Coordination, Coherence and Synergies* outlines specific measures where efforts are needed. EU assistance is offered for border management, for training of border guards and officials, to launch and maintain information campaigns so people know the risks and myths of irregular migration, to improve conditions of reception of returnees and irregular migrants, and to aid in developing biometric technology and document security (Commission 2008: 5). For these kinds of policies and initiatives, there is reference to the work of FRONTEX and possibilities for the agency to work in closer cooperation with third countries in irregular migration control.<sup>21</sup>

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<sup>21</sup> FRONTEX is the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union. It was established in 2004 to facilitate coordination between border authorities of EU member states. It also works closely with border control authorities in non-EU and non-Schengen countries (FRONTEX 2012).

What can be deduced from the specific policies encompassed under irregular migration control is that they are directly linked to security considerations, and are related to the Union's internal affairs in a more immediate fashion than the other two elements of the external dimension. This aspect of the external dimension is in fact the element that most closely corresponds to propositions advanced by external governance and securitisation accounts. However, dealing with restrictive measures raises at least two important questions related to preventive migration measures. The first is related to the Commission's own observation that readmission agreements are in the Community's sole interests, and their negotiation with third countries ought to take this into consideration in terms of incentives and compensation offered in exchange for (or to encourage) partners' cooperation (Commission 2002a). The second concerns the effects of returning migrants to third countries, and how this would affect development-related considerations. Can third countries absorb returnees, or transit migrants stranded on their territory? Do they have the appropriate framework for dealing with them? What would the effect be on socio-economic conditions in origin and transit countries? These questions are addressed by including the other two elements of the external dimension as part of a holistic strategy.

#### *Legal migration management*

Legal migration management falls under a preventive approach to dealing with migration concerns. The rationale behind it is that, by organising migratory movements around employment opportunities, receiving countries, sending countries and migrants will benefit. Unlike control measures, legal migration management is a long-term strategy. Conceptually, it stems from taking into account socio-economic conditions in origin countries such as low economic growth, overpopulation, and unemployment, which are seen as some of the reasons leading people to migrate. In response to these factors, it is meant to bring out the positive effects that migration

can have, focusing mostly on the benefits of remittances and brain circulation<sup>22</sup> (Commission 2002a).

One of the main challenges to pursuing this avenue lies in legal migration policy having remained under the competence of member states for the period covered by the thesis. As such, even though it was coined as an essential element of the external dimension, which mixes concerns for meeting internal labour market demand with the recognition that more openings ought to be offered to third country nationals, it was ultimately at the discretion of member states to grant work opportunities to migrants. Commission documents reflect the drawbacks this arrangement had on being able to pursue a coherent approach. For instance, a review of the Global Approach one year after its launch observed that member states offered incentives in bilateral relations and called for exploring ways of expanding this approach to EU level (Commission 2006b). Legal migration leverage is consistently portrayed by the Commission as a potential way of making readmission negotiations more attractive to partners (Commission 2002a), but also as a way of appearing more consistent vis-à-vis third countries and in relation to Community policies and goals:

The real policy challenge for the coming years remains whether the EU and its Member States are capable and prepared to offer real migration and mobility options for nationals of developing countries seeking learning opportunities and legal employment in the EU. (Commission 2009a: 9)

There is an overlap between restrictive and preventive measures in as far as the latter are sometimes employed (or seen as useful) to achieve progress in the former. However, there are also suggestions that legal migration management is consistent

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<sup>22</sup> Brain circulation refers to migration that is organised in a way that does not lead to brain drain (which has negative repercussions on developing countries), and that allows migrants to maintain links with their origin countries in a way that contributes to development (either through permanent or temporary return, assuming his or her skills are reinvested).

with some of the sectoral responsibilities endorsed by the European Commission in its external relations, and as a necessary element to perform its role and ensure the fulfilment of its mandate. There were, however, limitations on the Commission's capacity to carry this position through because of member states retaining competence over legal migration matters.

In line with these limitations, but arguably also endeavours to gain influence in this policy area, by 2005 the Commission had prepared a *Green Paper on an EU Approach to Managing Economic Migration* and a *Policy Plan on Legal Migration*. To be consistent with the internal level, both of these documents were defined as a roadmap and complementary to The Hague Programme—especially in responding to the latter's recognition of the need to meet the EU's growing labour demand. The documents mainly discuss the technicalities of recruiting foreign workers—admission procedures, possibilities for workers changing sectors once in the EU, the rights of workers, and so on (Commission 2004b, 2005b). They also put forth the argument that proposals could help render migration as a positive phenomenon that would offset irregular migration. In addition, the Policy Plan makes specific reference to how the Commission's suggestions would link to relations with third countries: monitoring the effects of brain drain, devising instruments for supporting circular and return migration, and providing training in countries of origin prior to departure for work in the EU (Commission 2005b).

These kinds of concerns are consistent with a preventive approach to migration concerns, and they are captured in two kinds of external dimension initiatives, which are argued to be concrete ways to incorporate legal migration management into the framework of the Global Approach. The first is what have come to be known as *mobility partnerships*. The second are programmes for *circular* or *temporary migration*.

Mobility partnerships are offered in instances where third countries cooperate in the management of migration flows, especially in what concerns irregular migration control (Commission 2007a). These partnerships are based on mutual commitments

between partner governments and the Community. The former agrees to readmission and information exchange, combating of smuggling and trafficking, carrying out information campaigns to discourage irregular migration, ensuring travel document security, and fostering local employment opportunities; and the latter to provide improved access to jobs in the EU and more favourable admission conditions for nationals of the country in question. They are negotiated on a case-by-case basis and tailored for the partner country. In any configuration, the third country is supported technically and financially by the Commission (*ibid*). Mobility partnerships have been implemented in very limited instances—with Cape Verde, Moldova and Georgia (Commission 2009b). They have a strong focus on reaching binding commitments on irregular migration control in order to offer job opportunities at EU level, especially in the form of the conclusion of readmission agreements.

Circular or temporary migration, on the other hand, allows for back and forth mobility between third countries and the EU under a specific legal framework—usually development cooperation programmes or projects. These schemes are designed to allow workers into European countries for time-specific employment activities (seasonal agricultural workers, for instance), or for specialised, highly-skilled jobs, which skills could then be re-invested in origin countries upon return. The element of return is, in fact, very important as part of circular or temporary migration, and in relation to development objectives that advocate avoidance of brain drain (Commission 2008). In being more specific, circular migration initiatives are implemented to fill labour openings in Europe without countries of origin necessarily having concluded readmission agreements with the EU—as is the case of Morocco, for instance, which sends seasonal workers to Spain and France every year.

The above synthesis brings out two angles from which legal migration management can be seen. The first is one that emphasises it as a tool to achieve internal goals, whether in terms of irregular migration control (to advance readmission, or to influence third countries to cooperate), or to fill European labour market shortages. The second is more outward-looking and development-related in that it focuses on



offering job opportunities to partners as a way of contributing to their development, and taking into consideration the reasons that lead people to migrate. The latter, however, is emphasised much more strongly as part of the migration and development component of the external dimension.

*Migration and development*

Non-development policies should respect development policy objectives and development cooperation should, where possible, also contribute to reaching the objectives of other EU policies. (Commission 2005d: 3)

Part of incorporating migration policy into the external relations agenda of the EU implied considering how it linked with development cooperation objectives already pursued. Examining Commission documents over the period between the Tampere Conclusions and the ratification of the Lisbon Treaty at the end of 2009 suggest that there was a shift from an initial resistance to including migration in development cooperation considerations, to attempting to employ migration policy as a tool for enhancing or aiding development objectives.

The 2000 Commission Communication *The European Community's Development Policy* makes a case for making sure that EU objectives do not affect developing countries in a negative manner:

Art. 178 of the Treaty and common sense oblige the EU to check that the objectives of its development policy are taken into account when the implementation of other policies are (Sic.) likely to affect developing countries. This coherence-check is relevant in many areas of Community policy including [...] immigration. (Commission 2000: 13)

So even though there was a rationale behind dealing with the root causes of migration, which in essence were traditional development objectives, Commission documents highlighted that it was important to ensure that objectives already pursued were not compromised by integrating new goals and orientations. In fact, the 2002

Communication on *Integrating Migration Issues in the European Union's Relations with Third Countries* underlines the specific areas where work was needed, yet it draws attention to the ultimate aim of fostering positive linkages and offsetting negative ones. The areas emphasised in this document are trade and development; conflict prevention, regional integration and cooperation; institutional capacity building and good governance; and food security and sustainable rural development (Commission 2002a). Time and again the Communication stresses that these development objectives are what ought to guide EU action, and that any revisions of the Commission's approach to third countries in this respect must be consistent with them (ibid).

The Global Approach then integrated migration and development as one of its components, but it was not the only strategy that got underway in 2005. Parallel to it emerged what is known as *Policy Coherence for Development* (PCD), and which was initiated (and championed) by DG Development. (They in fact had a unit at the time of interviews dedicated to PCD.) The document was issued in relation to the commitment to achieve the United Nation's Millennium Development Goals. The aim was for the EU to have a line of action that ensures that development objectives are coherently pursued, and that there are appropriate safeguards in case they are compromised. Migration was one of the policy areas coined as in need of checking for policy coherence, with concrete proposals covering managed labour migration, reliable and cheap remittance transfers, brain gain, the strengthening of transnational communities, and cultivating the impact of South-South migration (Commission 2005d).

The strategy for PCD was adopted as a way of ensuring that internal priorities were not dominant on the external front. Its aim became to establish an overall framework for the EU to keep check of the impact of its policies on development cooperation. One of the issues emphasised in the 2009 Communication on PCD was the need to make migration work for development (Commission 2009b). The policies that were coined for PCD are assessed every two years, and reports are issued highlighting

areas where improvement is needed, or where further progress can be made (for instance, Commission 2007b and 2009b).

#### **4.2 Restrictive measures and readmission negotiations**

Officials from the different DGs did not coincide in their interpretation and prioritisation of restrictive measures vis-à-vis other elements of the Global Approach. It would be fair to say, however, that as a policy forming part of the external dimension it was prominent in discussions with officials across the three DGs.

The theoretical framework devised in chapter 2 proposed that JLS would be most likely to prioritise the restrictive aspects of the external dimension. Readmission agreements, and restrictive measures in general, are policies congruent with the sectoral expertise of JLS, and they are also linked to achieving internal security goals. JLS officials did indeed emphasise the importance of pursuing migration control measures the most, especially in what concerns readmission agreements and their negotiation. For them, having an appropriate framework for irregular migration was a necessary prerequisite before discussing other components of the Global Approach, and for these to be effective and successful.

DG Relex officials recognised the prominence of readmission in the EU's agenda, and were cognisant of their role in negotiating these agreements with third countries. They remained, however, sceptical of the way readmission concerns were pursued. For them, prioritising readmission in a way that did not offer counterparts more favourable conditions in other areas of migration policy was unlikely to produce any results, and compromised the coherence and credibility of the Commission's policies. DG Development was the most disengaged from readmission and restrictive measures of the three DGs. For them, because the countries under their remit were not interested or likely to want to sign these agreements, it remained a priority unlikely to be pursued as part of their sphere of influence.

*The readmission policy agenda of JLS*

Even though JLS officials enumerated all three elements of the Global Approach when asked about the external dimension, they were quick to highlight the importance of tackling irregular migration aspects in relations with third countries. Officials' responses were mainly based on three inter-related themes, which will be addressed in turn below, for maintaining that restrictive measures, and especially readmission agreements, were imperative: *risk*, *burden-sharing* and *conditionality*. These three points reflect a primordial concern with ensuring that internal security concerns are effectively tackled in external relations. JLS officials' perception of irregular migration control is consistent with the organisational identity of the DG: it aligns, primarily, with internal security issues and the challenges posed by irregular migration. Their reading responds to a sectoral line, as well as being coherent with the approach taken by interlocutors at member state level and the DG's own ambitions for forging an organisational role in the external dimension.

Preventive policies were portrayed by JLS officials as a prize for, or benefit of, maintaining relations with the EU. As such, they contained an element of risk for internal security considerations. Officials maintained that, unless there was a binding framework for cooperation on urgent, irregular migration issues, granting more favourable terms on other aspects would "send the wrong message" and create "false expectations", as well as potentially compromise internal security. In addition, JLS advanced that having partnerships with third countries implied commitments on the part of the latter. There was an expected degree of burden-sharing between the EU and partner governments on issues of common concern. The argument was that countries affected by the migration problematic had an interest, but also an obligation, to cooperate on irregular migration management. Lastly, and in order to ensure that the above two points were tackled, officials implied that a certain degree of conditionality ought to be employed as part of the external dimension—although they shied away from using the term, which was officially discarded by the Commission as a tool for pursuing objectives. Nevertheless, JLS officials did emphasise that progress in preventive aspects could not be achieved without some

palpable commitments on the restrictive front. This portrayal of external dimension goals is the angle that the external governance literature has focused on, especially in terms of conditionality and a concern with ensuring the security of the EU (Kelley 2006; Lavenex and Wichmann 2009; Occhipinti 2007).

Officials in DG JLS noted that the way these concerns could be tackled and crystallised was most notably through concluding readmission agreements with third countries. The issue of readmission featured prominently in interviews as a way of reducing risks, as an embodiment of commitment to sharing the concerns of irregular migration, and as a first step for the granting of legal migration concessions and increased mobility. In addition, readmission had a strong geographical angle. Its salience was linked to the regions neighbouring Europe. In this regard, officials made a distinction between eastern neighbours and southern ones. The east was seen as having had a positive response, as well as representing more “diffuse” patterns of migration; they were not as visible to the European public as those from the south. The south was portrayed as generating a considerable amount of pressure, and partner governments there deemed as not very forthcoming in controlling the problem. One official said that even if mechanisms of migration control were effective within Europe, “if you do not find a third country that is taking back these persons, you continue to have a problem that is piling up all the time and creating pressure, particularly in countries of the Mediterranean that are on the frontline of illegal migration pressure” (DG JLS official, Sep 2009).

This view of the Mediterranean is particularly noteworthy because it brings out the way the DG’s prioritisation of restrictive measures is justified. Officials emphasised that they needed to see “good will” from North African countries, with these being prominent regions of transit:

Of course eastern countries are important transit countries for migration from the east or from Asia. The difference is that migration coming from sub-Saharan Africa can be very substantial and concentrate on small portions of the EU territory. You have problems in the Canary Islands, or in

Lampedusa, or in Ceuta and Melilla. And there it directly creates tremendous problems, political problems, but also problems which are visible to the population of the EU, and for the population of these African countries. (DG JLS official, Sep 2009)

The reference alluded to here is an internal one: visibility of the migration problem to the European public, and concerns about internal stability. For this official, being able to return migrants was imperative and readmission agreements necessary. This being said, JLS officials were cognisant of the challenges that readmission posed on (neighbouring) third countries in terms of their public opinion and being perceived as “the police of Europe”, as well as in socio-economic and institutional terms. The absorption of nationals was acknowledged as tricky, but more so the reception of third-country, in the main sub-Saharan African nationals. Nevertheless, the response across the DG was that the Commission was ready to offer the financial and technical support necessary to compensate for the pressure readmission would generate.

Two additional interesting points emerged from discussions on readmission with JLS officials, one which supports external governance conceptualisations of EU migration policy prioritisation, and another that undermines them. On the one hand, the focus of JLS officials in speaking about readmission agreements was in relation to neighbouring rather than ACP countries, even though some of the latter were important origin countries of migrants (sub-Saharan Africa mainly). Readmission issues were discussed between ACP countries and member states on a case-by-case basis, in line with the provisions made in the Cotonou Agreement. But JLS officials did not prioritise the conclusion of a Community readmission agreement with these states. In this regard, JLS officials’ responses exemplified claims made by external governance that migration policies were drawn to secure Europe’s borders and respond to perceptions of risk from neighbouring regions (Johansson-Nogués 2004, 2007; Lavenex 2006).

On the other hand, however, two of the officials interviewed claimed that readmission agreements would not result in mass returns; “it is not something that we will put in place” (DG JLS official, Sep 2009). What the Commission wanted, they explained, was to achieve working arrangements for cooperating with partners (neighbours) on irregular migration management on a day-to-day basis. They said that the aim was simply for third country governments to fulfil their responsibilities because they would have binding obligations to do so; readmission would exert permanent pressure on them to comply (Interviews Sep-Nov 2009). The claim that they did not envisage the implementation of readmission agreements provisions raises questions regarding the extent to which JLS’s approach is informed by perceptions of threat from neighbouring states. It is therefore more fruitful to view JLS’s stance as being *to an extent* also influenced by its organisational identity, and its reading of the rules and solutions appropriate to fulfil its remit and pursue policy objectives.

#### *Relex’s scepticism of restrictive measures*

Relex officials differed from JLS in the way they perceived restrictive measures, in particular the prioritisation of readmission issues. The pursuit of a readmission-centred agenda, which impinged on their remit (as they were expected to negotiate agreements with partners), was portrayed as an approach doomed to fail. Their criticism was based on two premises. The first is that readmission is unfavourable for partners. This claim focuses on considerations related to the nature of conducting external relations. The second premise is that the requirements of a readmission agreement would potentially oblige third countries to deal with a number of practical and financial repercussions. In this respect, officials departed from an angle that considered developmental issues.

Relex, unlike JLS officials who expected cooperation to happen on the basis of enjoying a partnership with the EU, observed that it was “common sense” for third countries *not* to want to conclude readmission agreements with the Community as a

whole; they had nothing to gain from it. Officials argued that there ought to be migration concessions granted to partners when negotiating readmission, which were not given at the time to their regional counterparts in the Mediterranean. For Relex, it was not enough to trade off privileges in other policy areas covered in external relations. In fact, they specifically noted that what the EU ought to negotiate was visa facilitation alongside readmission discussions. In theory, visa facilitation is meant to be negotiated in parallel to readmission, and this had been done with some eastern European countries. But with the Mediterranean this was not the case. Officials justified this situation by saying one has to consider that once agreements come into place this happens simultaneously, even if readmission is negotiated before visa facilitation. They said that conditionality was denounced by the Commission as a way of achieving migration-related goals, and putting readmission first would amount to applying conditionality. However, one official conceded:

We say in parallel because we do not like to talk of conditions. But in fact yes, it is a condition. (DG Relex official, Oct 2009)

Not being able to employ visa facilitation as a bargaining tool was seen as an obstacle for conducting balanced external relations on behalf of the EU. Relex officials conveyed that these constraints were in part placed on them by member states retaining competence over visa facilitation matters (this point is discussed in detail in the next section on legal migration management). But they were also critical of the emphasis placed by JLS officials and their member state interlocutors on internal security questions as a driving force for migration objectives. In this respect, security matters were not limited to concerns with irregular migration but also, and especially in relation to the Mediterranean, as a reflection of “unfortunate” links made between the region and terrorism matters.

Relex did not convey the perception of risk from the Mediterranean region to the extent that JLS did. For them, Mediterranean partners were strategic. As a way of illustration, within internal EU circles there were proposals for including readmission clauses in any future Association Agreements. These are the legal basis for relations



with partners. Relex officials emphatically stated that doing this was unthinkable; that such conditions would not go through and would have negative repercussions for their remit. The limitations described by Relex as being imposed by internal security considerations, and its frustration at not being able to perform a more balanced role in line with its external relations portfolio, brings out divergences in thinking about restrictive migration objectives within the Commission. In the case of Relex, these differences suggest that the DG would want to pursue migration policy objectives in a way that gives it a stronger organisational position, and that is congruent with its notion of how relations with partners ought to be conducted: in a more open, balanced manner.

Related to Relex's view of how relations should be pursued is the second premise, which has to do with the content of a restrictive approach in terms of policies and their effect on third countries. Readmission was not seen as the most favourable way of endorsing a holistic strategy because of the developmental repercussions this would have on partners. This element of course informed third countries' reticence to sign. But it is also reflective of another aspect of Relex's remit: their responsibility for including development considerations in their relations with partners. Again, their reference point was what their unit was supposed to include in relations, and how new (restrictive) considerations could potentially affect their established line and the coherence of their approach.

When speaking of readmission, some Relex officials questioned how third countries would cope with implementing agreements in terms of taking back nationals and transit migrants. The latter in particular was seen as problematic. Some of the issues officials cited were a potential rise in unemployment levels, the worsening of socio-economic conditions and the lack of legal frameworks in many third countries to deal with migrants. These issues were seen as being in need of closer consideration by the EU when conducting external relations. They emphasised that the EU ought to provide material aid, capacity building and equipping facilities, and necessary training, as well as consider these elements in the Commission's development

programmes. They lamented that considering readmission in the Mediterranean context had had repercussions on other aspects of migration considerations not being properly tackled.

The perception of restrictive policies conveyed by Relex officials with regards to the way external relations ought to be conducted, and how readmission would affect developmental considerations, expose reasons for their divergence in prioritisation with JLS. Having more concessions to grant third countries in negotiations would have repercussions on the unit's bargaining position, but it would also grant it with a stronger organisational role in the external dimension of migration policy. In addition, by paying attention to developmental aspects the DG would also be consistent with its remit, organisational identity and portfolio. Relex's responses are consistent with the theoretical propositions of organisational sociology, whereby officials recognise particular solutions and problems in line with their specialisation (March and Olsen 1989). In addition, they raise questions regarding the possibility for generalising the EU's approach as unitary and focused on security-related aspects, as the external governance has done. The different positions defended within the Commission are further disaggregated by DG Dev's stance on restrictive aspects, to which we now turn.

#### *Development's disengagement from readmission-related priorities*

DG Development was to a great extent disengaged from restrictive migration control measures. When restrictive measures were brought up by officials, these were either interpreted in a way that related to development cooperation, or they were justified as being a request of the partner country in question. In addition, the DG was not expected (in the way Relex was) to address restrictive measures. Readmission was not included amongst DG Development's external dimension responsibilities. ACP countries covered by the DG were liable under the Article 13 of the 2000 Cotonou Agreement to negotiate readmission bilaterally with member states; there was no Community context for discussing readmission with them. And even though an

official in the DG mentioned that internal discussions were aiming at including readmission in the revision of the Cotonou Agreement (led by the internal security community), he was sceptical that this would be accepted by the countries concerned.<sup>23</sup> Migration had already been a difficult issue to include the first time around:

The current Article 13 was negotiated in the year 2000 and was the very last subject. It was the last night of negotiations. We stopped the clock and it took us a long time to get this clause in, and we envisage something similar this time. I gave you some elements but we did not even propose the text to ACPs yet. (DG Dev official, Oct 2009)

Therefore, Development officials referred to restrictive measures more in terms of an opinion with regards to its effectiveness, rather than as a reflection of how their remit was affected by them. Their perceptions were either based on questioning of a restrictive approach in general, or were focused on the inefficiency of prioritising readmission for achieving results. In this respect they coincided with Relex's view that it was not possible to achieve proposed aims if readmission was pursued in an isolated manner; "you cannot impose or hope to have good relations with partners on readmission if you do not invest in counter-proposals, what partner countries are interested in, i.e. mobility, economic migration, but also migration and development issues and more generally development cooperation. You have to invest on your overall relationship" (DG Dev official, Oct 2009).

Officials from the DG went further to criticise readmission for being ineffective. Not only did they emphasise that the scarcity of finalised Community readmission

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<sup>23</sup> Discussions by EU member states at the time of interviews were considering how to include readmission into a revised Cotonou agreement, but the issue had not yet been discussed with ACP states. The revised text of the agreement did not include amendments to Article 13, but did incorporate the concept of Policy Coherence for Development to Article 12 on the coherence of the Community's policies (EU 2010).

agreements were evidence of their unpopularity; they also questioned whether it was right or possible to control migration in the first place. They were only involved in one case of negotiations with Cape Verde, which has a mobility partnership in place with the EU, but otherwise they remained disengaged from readmission. (And in the case of Cape Verde, they saw the initiative as a development-related one in that it provided information to potential or returning migrants, and managed labour and legal migration.) DG Dev emphasised that their role as a DG was “listening carefully to sub-Saharan African countries and making sure that they are included in the dialogue, not to have a dialogue that limits itself to transit countries” (DG Development official, Oct 2009). So their concern was that readmission negotiations that were ongoing with North African transit countries would not affect ACP countries negatively.

DG Dev’s prioritisation responded to their development cooperation responsibilities, and to the sectoral and political environment in which they performed their remit. Their declared stance of defending third countries’ interests, however, brought out instances in which restrictive measures had been included in bilateral relations. One example regarded discussions with Nigeria on the introduction of e-passports and biometric security devices in identity documents. These measures, dubbed “document security” in EU jargon, are consistent with restrictive approaches and control of irregular migration. As the official himself noted, “it sounds like it is very far away from normal development work, nothing to do with education, health and water” (DG Dev official, Oct 2009). But he added that the Nigerian government had insisted on the programme, and the DG would cooperate with it.

So even though restrictive measures are not considered as consistent with the DG’s line of work, officials do engage with them in cases where third country governments insist. In these cases, Dev officials resorted to the “grey area” where initiatives could somehow be linked to development cooperation objectives (DG Dev official, Oct 2009). In this specific instance, officials cited that it would allow for easier travel, for instance, or attract capital to the country. This was also in terms of return policies.

Even though there was no participation of the DG in deportations, for instance, they did express interest in making sure that return did not affect development negatively, and tried to emphasise possible synergies: reinvestment of skills, for instance. DG Dev officials linked migration-related initiatives with their perceptions of how policies ought to be pursued—with a development lens. This stance is again consistent with organisational analysis.

An additional instance of how Dev officials related to their organisational identity was in terms of funds that had been made available for restrictive measures as part of the Global Approach. Even though funding will be discussed in chapter 5 in relation to implementation, suffice to say here that references to funding were useful in bringing out officials' prioritisation of objectives. Referring to the European Development Fund (EDF), officials were quick to say that allocations could not be compromised; the EDF was to be used specifically for development. Unless additional money was dedicated to restrictive measures or requested by the third country, they were very strict about reallocating funds. Restrictive measures supported through additional, parallel funds (outside of the EDF) were acceptable because they did not interfere with Dev's budget and programming. However, when there was more money under the EDF to address restrictive measures, this was seen as an incentive to think of new programmes; it was an opportunity for creativity and innovation, and for advancing goals coherent with development objectives.

DG Dev officials' perceptions of restrictive measures suggest that they were largely disengaged from readmission in particular, and involved in control policies through availability of funding or at the request of third countries. Nonetheless, they were adamant about these kinds of policies not compromising their established line of work and development objectives. This stance will come out more clearly in the following sections, where DG Development is analysed in relation to how it views and pursues the preventive aspects of the Global Approach. We now turn to one of these preventive aspects: legal migration management.

### **4.3 The synergies of legal migration management**

The proposition put forth in the theoretical framework was that Relex would be the DG likely to perceive the external dimension as a synergetic strategy that mixed objectives in a way that would not compromise its established policy line. Their prioritisation was expected to be one of managing different approaches in a balanced way and consistent with the nature of relations that they conduct with partner governments. In line with this expectation, the legal migration management component was the most consistent with the organisational identity of the DG. Officials from Relex concurred that offering more concessions in this regard was coherent with the Community's declared objectives. They also believed that it would allow the Commission to be more effective in achieving restrictive measures, a matter strongly emphasised in internal circles; it was their proposed way of dealing with the different requirement of the external dimension of migration.

This section examines the way DG Relex perceived legal migration management and limitations in this aspect of the external dimension. I shall argue that officials' portrayal of this element of the Global Approach links with their organisational identity in that it reflects their keenness to maintain healthy relations with partners and continue to perform its foreign relations role. The section also analyses DGs JLS and Development, who engaged with legal migration management somewhat differently. JLS saw it as a bargaining tool to ensure that internal security concerns were met *before* concessions were made, whilst at the same time recognising its importance for European labour markets. DG Development, on the other hand, looked at legal migration in relation to the development cooperation agenda; it emphasised the development aspects of the strategy and their desirability rather than discussing them in relation to security considerations.

#### *Relex and the pursuit of synergy*

As seen in the previous section, Relex was sceptical of the prioritisation of readmission, and of trying to advance restrictive measures without granting more

favourable migration opportunities for third country nationals. Interviews with officials from the DG suggested that they were critical of the focus on readmission and the pressures they as a unit were under to achieve advancements on this front in relations with neighbours. What they advocated instead was to offer greater legal migration opportunities to partners for three main reasons: *maintaining healthy external relations, coherence and potential benefits/ foreign policy gains*. In particular, they spoke about the promise that mobility partnerships offered to address these three concerns, and as a more positive and effective approach to achieve goals. Circular and temporary migration schemes were also given as examples of good practice, but they were linked more strongly with general development initiatives and limited in scale.

Relex officials had as a point of reference their established policy line and the remit they already covered for advocating mobility partnerships and circular migration. As part of their external relations role they reflected on the needs of third countries and the way relations were conducted. Legitimacy vis-à-vis partners was instrumental, and Relex was concerned with making sure that healthy relations were maintained. In this respect, they often cited the positions of third countries as a justification for their own stance as a DG. More than one agreed that partners' concerns were justified and understandable; their complaints "sometimes make sense to us" (DG Relex official, Oct 2009). In this sense, Relex was being responsive to its sectoral and political environment. Unlike JLS who argued that third countries could be given greater financial support, Relex officials were concerned about third country governments not feeling discriminated against. The issue was not the provision of financial support, but rather ensuring that partner governments' concerns in relation to migration were addressed so overall relations were not duly affected.

In addition to referring to what third countries wanted, Relex also reflected on socio-economic conditions in those countries and how they could benefit from mobility and circular migration. By offering employment opportunities to migrants from partner countries, the EU would be contributing to the development of these

countries through remittances and skills, for instance. Officials referred to measures they had already taken in this respect, and how they had adapted their programmes to support legal migration. They aimed to prepare the ground in the event that more legal migration opportunities were offered in the future through mobility partnerships, or to implement small-scale, ad hoc measures through circular migration projects. In relation to the latter, they had more leeway to work on circular migration schemes, as they did not require the finalisation of readmission beforehand in the way mobility partnerships did. Officials cited projects already in place between Tunisia and Italy and France, and between Morocco and Spain (Interviews Sep-Nov 2009). However, these were not part of an overall framework to implement the Global Approach, but rather issues related to development that were already part of their remit prior to the launch of the external dimension.

Therefore, Relex thought that greater mobility, either as part of a mobility partnership or in the form of circular migration schemes, ought to be granted in a wider scale to compensate for the drawbacks of signing readmission agreements, and to address other related aims of policies covered in the EU's external relations. As a DG official explained:

You do not have to be a rocket scientist to understand that these countries will not sign readmission agreements if we do not give them something in exchange. A lot of things can be done at the Community level, but a lot can be done at member state level in terms of granting quotas of skilled workers, organising circular or legal migration. Most of it *is* done at the bilateral level, and if we cannot integrate it in the Community package then we are not being very effective or coherent. (DG Relex official, Nov 2009; emphasis by interviewee)

This quote is significant for two reasons: it brings up the issue of coherence, and limitations of competence within the EU. Relex officials brought up the contradiction in the EU needing workers, yet interior and justice ministers as well as JLS being reluctant to open up opportunities for migrants. Again, officials made a distinction between the eastern neighbours and the Mediterranean. Mobility partnerships were



put in place, or open for discussion, with the east—for instance with Moldova, Georgia and Ukraine. In internal discussions of who to pilot these initiatives with, mainly eastern countries were chosen (as well as Cape Verde). Maghreb countries, despite their interest, had not even been considered as candidates. Speaking about Morocco specifically, one Relex official said that the idea of offering the country a mobility partnership was “quickly shelved” as soon as it was proposed in discussions with the internal security community. He described the process of choosing candidates for mobility partnerships, and when Morocco was proposed he cited officials participant in discussions as saying: “oh Morocco forget it, we do not even have a readmission agreement. It would be wrong to give Morocco a signal that we can reward them with a mobility partnership before we have completed our negotiations” (DG Relex official, Oct 2009).

Opposition to offering greater mobility to the Maghreb is claimed by officials in Relex as being informed by member states’ (and to an extent JLS’s) concerns with terrorist threats: “there is a very strong emphasis on security and control in the European Union since September 2001, and unfortunately this is something that has very heavily affected the policies of the European Union in a number of areas” (DG Relex official, Oct 2009). Another reason for the reluctance to offer legal migration opportunities is internal policy. An official described internal concerns as being based on responses to public opinion and the media in a way that is “disproportionate compared to the real nature of the problem” (DG Relex official, Oct 2009). However, Relex’s experience of dealing with Morocco informed their opinion that the country was politically willing, and that the Mediterranean as a region should be a priority for a more open and positive approach; these were arguments that they were not successful in putting across to DG JLS and member states.

The effect of these internal dynamics is presented by Relex officials as compromising the credibility and coherence of the Commission. For them, granting mobility would be of interest to third countries, and would in fact be the embodiment of what is advocated in the Global Approach.

In the Global Approach we say that migration is a comprehensive and multi-faceted phenomenon, that the Global Approach needs to integrate various policy dimensions like employment, external relations, security and development. With our partner countries you *need* to propose this Global Approach and this global package of things. (DG Relex official, Nov 2009; emphasis added)

Instead, officials conceded that mobility partnerships, and as part of them visa facilitation, were employed as conditions in negotiations with readmission, or discarded altogether until readmission was achieved. For Relex, this configuration was limiting, especially with the Mediterranean with whom they maintained relations and saw as a priority region for offering these schemes.

Interior ministers or justice ministers who are mostly responsible for mobility partnerships or issues of migration view the risks of mobility from the Maghreb as probably too high, and we perceive it in terms of foreign policy gains. (ibid)

From a more pragmatic point of view, officials saw that the strategy pursued by JLS and its interlocutors actually compromised the Commission's negotiating position (something than in fact JLS agreed with, as will be seen below). In this respect, the competence of member states over legal migration matters was especially frustrating, and exacerbated Relex's concerns over coherence. They were seen as impairing the Commission's ability to implement the Global Approach. Visa policy in particular is a strong foreign relations tool that member states did not want to relinquish to the Commission, and that they employed at bilateral level *despite* the internal discourses on security and terrorism outlined above. Again, insisting on the need for considering a more holistic approach, an official observed:

In fact, it would be possible, at least in certain cases, to manage it [visa facilitation] in a way that our partners have reasonable access to our territory, under certain conditions, and that they would feel less discriminated against as partners. And we could get something in exchange for that. (DG Relex official, Oct 2009)

Relex officials concluded that member states' competence over legal migration, as well as JLS's concerns regarding the granting of greater legal migration opportunities, had negative repercussions on the Commission's and DGs' legitimacy and organisational role. Most significant for the thesis' theoretical propositions is that being able to maintain greater consistency with its ascribed remit would allow Relex to continue to pursue its established foreign policy role in line with its organisational identity. In addition, gaining a say in legal migration matters would give it more tools to employ within its sphere of influence—in relations with particular regions, and with the conception of a foreign relations institution. Prioritising certain policies is useful for Relex to maintain its organisational position, as well as in trying to strengthen it and influence the migration policy domain. In this respect, external governance accounts come into question because the internal dynamics of EU policies suggest complex processes of formulation and prioritisation, and not agreement over approach or content of orientations.

#### *JLS's uncertain relation with legal migration*

Striving to gain greater influence in legal migration was shared by JLS, in part for slightly different reasons than Relex. The position of DG JLS on legal migration matters was divided. On the one hand, officials strongly emphasised that third countries could not be offered legal migration opportunities unless they made progress on cooperation on restrictive measures. On the other, when referring to legal migration remaining under member state competence, they voiced frustration at not holding the file within the Commission's remit, which was said to limit their room for manoeuvre. This apparent contradiction highlights both JLS's prioritisation of restrictive measures as well as the unit's aspirations for possessing the necessary tools to achieve them.

Legal migration opportunities as part of mobility partnerships were seen by JLS officials as a privilege that could only be enjoyed by third countries that had shown their commitment to manage migration through implementing safeguards for

controlling irregular migration. Rather than being a matter of congruence, or a way of maintaining healthy external relations, legal migration was seen as a tool that could advance internal security priorities. It was also a benefit that had to be granted carefully. It was not be beneficial for the EU to grant legal migration concessions and for third countries to perceive this as a sign that they would not have to commit to fighting irregular migration. Therefore, JLS's agreement with withholding legal migration opportunities was entrenched in its conviction that it served its purpose of advancing readmission negotiations in particular, and the building up of capacity in third countries to manage migration more generally. JLS officials were also cognisant of the EU's labour market needs, and of this aspect of the external dimension for meeting demand for foreign workers. However, they also highlighted that labour demand ought to be met in conjunction with making sure that the appropriate framework is there to guarantee the orderly and legal movement of people.

But what emerged as an interesting DG response from an organisational perspective was officials' criticism of the legal migration tool being retained by member states. The fact that the latter decided on labour quotas, and offered legal migration opportunities in bilateral relations with third countries outside the Community framework, was seen as detrimental to the Commission's role; it was seen as undermining the Commission and limiting the progress it could achieve in the external dimension. In fact, JLS officials were critical of what member states required them to negotiate with counterparts—as they would not be willing to negotiate such conditions themselves. Vis-à-vis the member states, JLS spoke about coherence, and about the Global Approach as a holistic strategy that they had to bring to fruition on behalf of the Community. They differentiated between the Community interest, which they guarded, and individual state interests, which were portrayed as stopping the Commission from performing its ascribed role.

What transpired from officials' criticism of member states was an aspiration to be able to hold all aspects of migration policy under the Commission framework so the

organisation would more effectively pursue objectives. Even though speaking about individual cases JLS officials emphasised that legal migration could not be granted without readmission, they also considered that it would be an ideal bargaining tool for achieving results. In certain cases, they said the Commission would like to be more flexible. For instance, speaking of North African transit countries:

We have big problems with countries like Libya, and Algeria too. We have not succeeded in entering into negotiations [on readmission]. So we feel like we are going nowhere if we do not begin to discuss mobility with these countries. (DG JLS official, Sep 2009)

Then the same official added:

We say to member states: OK, we fully respect your competence, but according to the Global Approach we have to be balanced. And we will not achieve anything on illegal migration if we do not come with serious things regarding legal migration. (ibid)

Therefore, JLS was opposed to offering legal migration as a way of making relations more positive, or even in line with implementing the comprehensiveness of the Global Approach. But they did see it as a policy that could potentially entice third countries to sign readmission agreements and cooperate on irregular migration management, and as a tool that would strengthen the Commission's organisational role in the external dimension. As we will see below, DG Development's take on legal migration differed greatly.

#### *Legal migration and DG Dev's approach*

DG Development did not see legal migration as a tool. For Dev officials, legal migration was an integral part of development cooperation. Their focus when speaking of offering work opportunities to third country nationals was on how this would link to remittances and the transfer of skills, for instance. They did not view it

as desirable in relation to security considerations, but as addressing issues such as unemployment, poverty, and meeting labour demand on the EU's side.

Even though it is a separate aspect under the Global Approach, for Dev legal migration management fell under the migration and development component. As a DG, they were in charge of one of the few EU mobility partnerships, with Cape Verde, and also ran a project, CIGEM, in Mali which was known as “the job office” (DG Dev official, Oct 2009). CIGEM was founded as an initiative the DG hoped to see expanded, as it offered information to potential migrants and organised circular migration schemes. However, similar to Relex, officials complained of member state stances, and the fact they did not offer greater opportunities through their development cooperation programmes for people to migrate to Europe. Member states' positions were criticised as hypocritical in that internal discussions made it clear that they were in need of migrant workers, yet they employed migration in a populist manner when it came to public opinion. Instead, Dev officials highlighted that there was a need for promoting the positive aspects of legal migration, and fostering its links with development: through easing remittance transfers, supporting returnees, and so on.

Therefore, rather than referring to legal migration as a strategic competence to hold in order to achieve other aims, Dev officials spoke about it as development. It linked with their aim of policy coherence, and with making sure that all of the EU's policies did not compromise development objectives. Because of their portrayal of legal migration as part of migration and development, this component is integrated into the following section that addresses Dev's take on the Global Approach.

#### **4.4 DG Development and migration linkages**

In the thesis' theoretical framework, it was proposed that DG Development's prioritisation of migration would be based on an interest to protect the primacy of development objectives. As such, rather than considering migration a priority per se,

the DG was expected to weigh how this policy would impinge on its traditional remit, and would focus on the preventive aspects of the external dimension.

Of the three DGs covered in the analysis, it was indeed Dev that most insistently highlighted the importance of ensuring that development objectives were not compromised. Officials recounted their initial reluctance—or outright refusal—to incorporate migration because for the DG this would have meant compromising their remit and ethos. When Dev eventually engaged with migration policy objectives, it did so through the lens of development-related issues, and even came to qualify it as migration *for* development, rather than migration *and* development. Consistent with organisational sociology theorising, the organisation developed particular ways of thinking about policies and solutions to challenges (Trondal 2007). In doing so, it not only safeguarded its existing agenda and policy line. The DG also managed to create a more prominent organisational role for itself by advocating that there should be a mechanism for making sure that the EU's external policies were not compromising actions in related areas, and most particularly issues it as a DG was concerned with. This approach has been crystallised as Policy Coherence for Development.

DG Relex was similarly concerned with development objectives, and officials did indeed consider ways in which migration policy objectives were likely to impinge on the general cooperation agenda with third countries. Their angle, however, was in addition based on an overall consideration of external relations rather than on a purely development-related agenda. As for JLS, the DG was cognisant of the importance of pursuing a preventive agenda in particular for ACP countries (which are under the remit of Dev). They thought of this area, however, as separate from their remit and as the responsibility of DG Dev; the latter was described by JLS as taking the burden on behalf of the Commission for this file.

*Migration for Development*

We call it migration *for* development, so it is really a bit more focused. (DG Dev official, Oct 2009; emphasis by interviewee)

DG Development officials considered migration policy as an issue they had to engage with once they came to see its connection to development objectives. This meant that both the initial refusal to incorporate it into their remit, and the later consideration of how it impinged on development goals, were based on how migration related to issues they as a DG *already* dealt with as part of their remit. In the organisational sociology literature, the interpretation of goals in relation to remit reflects actors' categories for action, and for thinking about objectives (DiMaggio and Powell 1991a). The external dimension became an opportunity for the DG to advance its agenda and conceptualisation of policy goals as part of the Commission's line, in particular with the Global Approach. The migration and development component *is* to a large extent what DG Development *did*.

The DG's stance was based on two factors. The first was *making linkages* that confirmed development-related aspects of migration. This included assessing that migration-related measures were coherent with development cooperation, and that there was a way of interpreting and justifying them so that there was indeed a connection between policy areas—going as far as being 'creative' about how these linkages could be established. The second was *representing* the wishes of third countries in setting objectives and goals for migration-related issues. Both of these factors follow from their endorsement of the development cooperation agenda, and the different elements that informed the DG's organisational identity: responding to their political environment, and pursuing development objectives with ACP countries on behalf of the Community.

When speaking to DG Development officials about migration, their focus was mostly out-with the EU. They only referred to member states in relation to their responsibility for providing job openings, especially in view of worker shortages in specific sectors such as agriculture. But Dev's concern was mainly what migration



reflected about development conditions in third countries, and how its effects could be garnered (or remedied) to bring about more development. The underlying interest was in maintaining the coherence of the DG's work with third countries *on development*. Based on their organisational identity, migration was perceived through the lens of what the unit was meant to do, and the prioritisation of objectives responded to this perception. Development aspects of migration were portrayed as being important by default, as having been overlooked in the past, and finally recognised for their significance.

In terms of specific prioritisation of policies, officials focused on the importance of providing information to potential migrants, advice to governments in drawing migration policies, studying and managing the regional dimension of migration (not only towards Europe but also between third countries and alternative destinations), Diaspora investments, and trying to achieve economic migration to the extent that member states are responsive. For them, migration touched on all aspects of the DG's work:

I would argue that even the other two elements [irregular migration and legal migration] do have development impact. Development is not just about providing water and sanitation and education to people. It is much more than that. Trafficking for instance is a very clear example that relates to human rights, it is about victims as well. Legal migration and job opportunities, and giving people chances to develop themselves also at a personal level by travelling or studying abroad, this is all about development. (DG Dev official, Sep 2009)

In this regard, the concept of policy coherence was central for Dev officials. The DG had to be consulted on matters that may have impinged on development issues, and in this way Dev asserted its presence in the external dimension, through an initiative it championed. Officials' focus was on ways in which the Commission had advanced in placing development objectives on the agenda: "when we talk about policy coherence, we try to look at the various migration policies, whether it is legal migration, migration and development, and try to see what kind of impact it has on

development. When it is a negative impact, so an example that is often mentioned is of course brain drain, typically, there we propose a number of elements to try to take into account brain drain in the definition of EU policies” (DG Dev official, Sep 2009). Then:

Of course another dimension when you talk about brain drain is the fact that it is a very complex topic because why should you forbid certain people from accessing a better job, a better salary, and better conditions? And also, does it work? Because migration in the end is very much an individual choice. (ibid)

Therefore, the content of policy and its relation to development objectives were crucial issues for DG Dev officials’ engagement with the external dimension. In addition, however, guaranteeing coherence also reflected a concern with ensuring that EU policies did not interfere with the unit’s overall aims and established working procedures. Prior to 2005, which coincided with the launch of the Global Approach but also the adoption of the strategy of PCD, officials mentioned feeling that they were not meant to deal with migration issues, that their agenda could have been affected by this policy, and that they were on the defensive on the issue. With Ceuta and Melilla in particular, and other high profile incidents of irregular migration flows into the EU, Dev officials note a shift: that they realised that engaging with migration policy did not need necessarily involve one side (the EU) benefiting at the expense of the other (partner countries). The Global Approach, PCD and incidents involving migrants brought about an understanding that “we can also benefit” (DG Dev official, Oct 2009).

The concern with coherence, or with migration policy in relation to the rules and procedures at work in the DG, reflect the theoretical propositions of organisational sociology in terms of the institutionalisation of views and specific policy practices within organisations (Olsen 2003; DiMaggio and Powell 1991a). They also link with the environment in which these practices are pursued, which leads to the second factor that influenced Dev’s perception of the issues to prioritise as part of the external dimension. DG Dev consistently referred to relations with third countries,

and what the latter were willing to discuss and work on in conjunction with the Commission. Officials saw their role as working alongside third countries to define development strategies where migration policy is a positive and contributing element.

DG Dev supported initiatives proposed by countries that have a clear development spin, such as facilitating migrant investment in countries of origin, the establishment of linkages between Diasporas and their countries of origin, and retention strategies to keep highly qualified workers in the local labour force. Rather than employing the language of security officials, which focuses on return and making sure irregular migration is controlled and managed, Dev officials spoke about measures that resulted in essentially the same action—keeping migrants at their countries of origin, or helping them return—from a development perspective. In addition, officials highlighted partners’ proactive stance in defining these policies, and were intent on emphasising measures were not imposed on them by the Commission. In fact, in the face of crises in the Mediterranean for instance and pressures to put in place irregular migration controls, Dev officials saw themselves as defenders of countries of origin under their remit, and as co-leading with JLS. The stance of DG Dev in terms of migration and development adds a level of complexity to external governance accounts: they emphasise resistance *within* the Commission to pursuing a predominantly security-based approach. As such, an EU stance cannot be taken for granted.

However, DG Dev officials also described how they were also becoming more active in the other elements of the Global Approach—irregular migration and legal migration—because additional funding had been made available, and “policy in a way follows the money here” (DG Dev official, Oct 2009). In this respect, the commitment to purely development goals became more blurry. On the one hand, officials noted that in cases where the third country was interested, the DG was ready to develop initiatives related to other elements because their role was to listen to the wishes of these countries. This was for example the case of Nigerian document

security. On the other hand, when probed on how measures targeted at controlling migration linked with development objectives, officials did one of two things. They either interpreted them in a way that linked with traditional aims, or they observed that the DG was not ready to integrate certain policies into its main line of work because “for us, this is not development” (ibid). These stances depended on whether the policies discussed were part of their own programmes or parallel initiatives. When they were part of their own programming, Dev officials justified particular practices on availability of funding:

Money has become available. So the desk offices are now also forced to look at these programmes and think: how are we going to use this finance? How are we going to integrate it in the rest of our programming? So they are forced, at least to some extent, to consider the basics of the Global Approach” (DG Dev official, Oct 2009)

So for instance, Nigerian passports had been endorsed by the DG for implementation with the partner government at the request of the latter. For JLS officials, this initiative was document security, and directly related to migration control measures. For Dev, however, they described the initiative as having indirect connections to development. They would say that these documents would only be carried by certain categories of travellers—diplomats, businessmen/ women—and as they “can travel more easily, then that will generate wealth for the country, which will trickle down” (DG Dev official, Oct 2009). The interviewee then added that “another way of *selling this* would be that you say: OK, this is meant to be an answer by the Nigerian government against human trafficking, which is a big issue in Nigeria” (ibid; emphasis added). Finally, he concluded that more trust in Nigerian travel documents would allow for greater mobility. Regardless of the reliability or veracity of these connections, the fact is that the perception of restrictive measures was conveyed and justified in a way that was coherent with considering development-related issues.

Where restrictive measures were part of parallel programmes to which additional funding is allocated, and which are mostly implemented by organisations other than the Commission, Dev officials were more critical. When asked if these initiatives,

could be integrated into the DG's main line of work, specifically programmes for returning and reintegrating migrants, officials were quick to state that these remained out-with Dev's line of work; "it is important to make that point because this, for us, is not development" (DG Dev official, Oct 2009). Interestingly, he acknowledged there could be room for considering such projects if they were made to link with development—and if additional funding was made available in a way that would not compromise existing approaches:

There is always this grey area where you have very specific professionals, for instance doctors that you really need to bring back because otherwise your hospital will not work. And if you build it into the health programme, that is one element. (ibid)

That 'grey area' was key in Dev officials' perception of how migration policies linked to the traditional development agenda, and as seen above for their assessment of the Nigerian document security initiative.

#### *Relex's and JLS's views of development-related issues*

Similar to Dev, Relex saw the development-related aspects of migration as issues that it as a DG had traditionally been engaged in. In its role as a foreign relations unit, it had negotiated and implemented development cooperation initiatives with partner countries for a long time. JLS, on the other hand, referred to migration and development as an aspect of the external dimension that the other two DGs were in charge of, Dev more so than Relex. Where Relex could relate to the objectives of the migration-development nexus from its remit, JLS drew on its internal security remit to make sense of this element of the external dimension.

DG Relex's perception of migration and development was based, in part, on its existing development cooperation remit. From an organisational sociology perspective, it possessed the tools, rules and working procedures to deal with development issues, and these were a priority regardless of migration policy

requirements. Relex officials, however, did highlight that they now took into consideration migration-related concerns in drawing development programmes. They said they were now active in more pragmatically linking migration and development (rather than finding a development spin to migration as DG Dev did).

Their rationale for linking migration to development considerations was two-fold. First, they argued that they wanted to make sure that development-related reasons for migration were tackled. Officials in Relex recognised that development cooperation was failing somewhere if migration continued to be a problem—in this sense there was a weakness in the DG's pursuit of their remit: “you have to ask the question of why development cooperation has not produced the results that everybody would be expecting? [...] You enter into a completely different thematic, which is the evaluation of development cooperation, the problems in each country, and so on” (DG Relex official, Oct 2009).

Second, Relex officials felt the Commission ought to take responsibility for the possible effects of advancing other policies (restrictive mostly, but also of migration management). Their rationale for strengthening these aspects did have traditional considerations (unemployment, capacity building, etc.), but it was also portrayed as aiding third countries in having the necessary framework for negotiating more favourable conditions on legal migration. As was the case for legal migration, migration and development was seen as an important aspect in maintaining healthy relations with third countries. Efforts related to migration and development were considered as a way of having a more positive rapport with partners, as achieving congruence, and as advancing the unit's and Commission's role vis-à-vis partners. Linking to organisational sociology, Relex's stance was one that provided solutions to problems based on its established procedures and sectoral expertise (March and Simon 1967).

JLS, on the other hand, was to an extent disengaged from migration and development objectives, as it fell beyond their area of work and sectoral expertise. They did, however, perceive it as an aspect of the external dimension that was more important

for some regions than others (similar to their perception of readmission negotiation priorities discussed in section 4.2).

For JLS officials, given that irregular migration problems were a reality, more should be done by Relex and Dev to explore connections between migration and development, as well as find ways of making sure that people knew it was in many cases better to stay in their countries of origin. However, they qualified development priorities depending on the region tackled. For ACP countries, migration and development was the focus, and they were happy to delegate work to DG Dev. They saw development cooperation as indeed being an area where the Commission should vest its efforts. For DG Relex, however, the link was not so clear. For JLS officials, migration and development in neighbouring regions was not so much the focus as making sure restrictive measures were tackled. They argued that conditions in ACP countries, but especially in sub-Saharan Africa, were more urgent to tackle than neighbouring regions such as North Africa:

With sub-Saharan African countries the angle *should be* migration and development, whereas with the Relex countries, the angle is totally different. (DG JLS official, Sep 2009; emphasis added)

Therefore, even though development issues are part of Relex's remit, this aspect of the DG's role is diminished by JLS when it comes to migration. The perception of migration and development was portrayed as responding to internal considerations and proximity to the EU, and not in relation to achieving a comprehensive approach under the external dimension. The prioritisation of migration and development was tailored depending on how the counterpart involved related to the EU's internal security agenda, and to the issues it as a DG was directly in charge of tackling.

## **Conclusion**

There are complex dynamics at work within the European Commission for prioritising the different elements of the external dimension of migration. It is

presented as a strategy that brings together all aspects contributing to migration policy concerns in a coherent and comprehensive manner. However, a closer look at its different aspects suggests that the different DGs involved diverge in their perception of its various components. The argument I advanced is that DGs prioritised and perceived policies in a way that reflects their organisational identity. DGs viewed migration policy priorities in a way that is consistent with their established rules, procedures, and conceptualisations of how to achieve objectives (Di Maggio and Powell 1991a; March and Olsen 1989; March and Simon 1967).

DG JLS was most concerned with restrictive migration aspects and it views this component of the external dimension as being of utmost importance, beyond the other two. DG Relex was most amenable to legal migration concessions because they brought out synergies in relations with partner governments and allowed it to maintain more balanced exchanges with them. For DG Development, the concern was with ensuring that all policies were consistent with the unit's agenda, and did not compromise development cooperation objectives.

When considering components other than the ones they prioritised, each DG interpreted them in a way consistent with their preferred approach to migration policy: JLS assessed legal migration and migration and development in relation to security considerations; Relex thought of readmission as being in need of a more open approach in line with its established foreign relations agenda; and DG Dev focused on development in relation to migration, whether positively or negatively.

These findings are significant because they provide us with a more realistic understanding of organisational dynamics within the Commission than external governance accounts do. DGs' perceptions and prioritisations of migration policy counter propositions that the EU has established rules that it pursues externally, in line with internal governance and European integration advancements (Friis and Murphy 1999; Lavenex and Schimmelfennig 2009; Schimmelfennig and Sedelmeier 2004;). In addition, they suggest that the sectoral composition of the Commission renders it an organisation that responds to and pursues a variety of interests and



considerations, rather than to security imperatives alone in the pursuit of migration policy (Lavenex and Wichmann 2009). These are important issues to take into consideration because they shed light on EU policy formulation processes and their content. They also have implications on policy output and implementation, which is the subject of the next chapter.

## **Chapter 5 - Organisational cultures in practice: how DGs view implementation options and venues**

This chapter examines how the different DGs explain and relate to the conditions and spaces they have for implementation of the external dimension of migration. Implementation here is taken to be migration-related funding allocations, programmes and negotiations with third countries; it is the way in which migration priorities translate into the Commission's practices. Given the applied nature of implementation, the chapter will employ relations with Morocco on migration to illustrate officials' justification of their practices. As explained earlier in the thesis, Morocco was chosen as a relevant case study due to its importance as an EU partner country on migration matters, for the advanced state of dialogue with the Commission on the external dimension, and for its salience as an origin and transit country of migrants. The analysis of the implementation of the external dimension with Morocco focuses on DGs Relex and JLS. Relex was in charge of bilateral and regional relations with the Mediterranean, and JLS was involved in Morocco's overall progress, especially on readmission matters.<sup>24</sup>

The chapter illustrates that implementation of external dimension goals has been patchy. At bilateral level, there has been a dominance of restrictive goals, which has

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<sup>24</sup> Due to the way the Union's external relations are divided, it was not possible to analyse all three DGs in relation to one country, since either Relex or Development would be responsible for relations with any given partner. This chapter, however, draws on interviews with officials from DG EuropeAid (AIDCO), which identifies and formulates actions that JLS and Relex incorporate into programming. DG AIDCO, along with Relex and Development, is an external relations DG, and therefore similar in its remit covering development cooperation with third countries. In addition, AIDCO is in charge of the Commission's budget lines and assessment of external dimension of migration initiatives. However, it is not involved in political dialogue and discussions with partner countries, and was thus not included in previous chapters.

caused progress in legal migration and development-related initiatives to be rather limited. At regional level, progress has been observed at the levels of declarations on the intent to cooperate, and exploratory measures for possible future initiatives. Programmes in line with a more preventive approach to migration issues have been pursued as part of thematic lines devised by the Commission to implement projects out-with the official framework for relations with partner countries, and in conjunction with a range of organisations. This has meant that different aspects of the Global Approach have not been put into practice holistically, but pursued depending on the venue that best accommodates their content, and the given set of goals for a particular partner country. Implementation practices exhibit what Guiraudon termed as “venue-shopping” (2000: 252).

The chapter analyses how officials view the practices they have to implement as part of their (Commission) responsibilities, which at times conflict with their prioritisations and perceptions. I argue that the divergent justifications provided by DG officials shed light on how they adapt their work to different implementation spaces (bilateral, regional and alternative). This approach to analysing implementation adds complexity to external governance explanations that often limit their assessment of the transfer of EU rules to bilateral relations, and do not look into internal Commission dynamics to explain different implementation modes (see Introduction). I posit that accounting for the implementation aspect of policy formulation allows us to understand the way in which internal organisational processes translate into output.

In order to illustrate the argument, the chapter is divided into three sections. The first gives an overview of the programmes and funding dedicated to migration priorities in Morocco since the external dimension was adopted. The second section analyses DG Relex’s views of the way implementation of migration priorities takes place and has progressed over the years with the partner country. The third section studies JLS’s rationale for the implementation line followed with Morocco and in parallel thematic frameworks. The conclusion will consider the implications of the

implementation patterns discussed, and what they mean for the pursuit of a coherent migration strategy in relations with third countries.

### **5.1 An overview of programmes, funding and negotiations with Morocco**

DG Relex has a central role in conducting relations with Morocco, consulting DG JLS where appropriate (mainly on readmission matters), and DG AIDCO in relation to programming and the identification of implementation initiatives. Migration objectives for Morocco were integrated on three levels: bilateral relations, as part of regional frameworks, and through thematic budget lines. Below is a review of how migration was incorporated into each of these levels.

#### *Country-specific programming and funding allocations*

The legal framework for relations between the EU and Morocco is laid out by the Association Agreement signed between the two parties in 1996, and which came into force in 2000.<sup>25</sup> Morocco's Country Strategy Paper (CSP) was then drawn outlining the socio-economic and political situation in the country, different elements to be tackled and the priorities to be addressed in bilateral relations. A National Indicative Programme (NIP) was also prepared, proposing different initiatives for pursuing policy priorities. Beyond documentation, an Association Council and Association Committee were established to coordinate contacts and work on initiatives. This set-up remained in place until 2003, when the Association Council devised a new structure and formed theme-based sub-committees to discuss policy initiatives and priorities (Commission 2004a).

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<sup>25</sup> Prior to the coming into force of the agreement, the legal basis for relations was the 1976 Cooperation Agreement.

For the period between 1995 and 2006, Morocco received funding through the Euro-Mediterranean Partnership's MEDA instrument. It was the highest recipient of bilateral aid amongst the Mediterranean partners, receiving €1.045 billion for that period, and an additional €5.5million as part of regional cooperation, taking the total sum up to €1.6billion. Bilateral funding disbursements particularly increased towards the end of the budgetary period, from 2004-2006, as shown in the table below.

*Bilateral budgetary commitments and payments to Morocco, 1995-2006*

	MEDA I		MEDA II															
	1999-2006		2000		2001		2002		2003		2004		2005		2006		2000-2006	
	C	P	C	P	C	P	C	P	C	P	C	P	C	P	C	P	C	P
Morocco	660	127,5	140,6	39,7	120	41,1	122	102,3	142,7	102,4	151,8	157,7	135,0	212,7	168	261,5	980,1	917,4
P/C ratio	19%		28%		34%		84%		72%		104%		158%		155%		94%	

Table 5.1 Bilateral budgetary commitments (C) and payments (P) under MEDA I and II in € millions. (Adapted from Commission 2007f)

In terms of migration, the issue was not particularly salient in official documentation prior to 2002. Migration was mentioned in terms of the desirability of establishing means for cooperation in the future in managing policy concerns (see for instance the Barcelona Declaration of 1995). Even though migration became increasingly prominent towards the end of the 1990s, it was not explicitly included in relations. It was a sensitive issue to discuss, and it was challenging to tackle it under the Euro-Mediterranean Partnership, the framework for relations with Mediterranean partners including Morocco. The EMP covered bilateral relations, but was mostly designed as a regional strategy (see chapter 1 for background).

Migration became more visible in official documentation and funding allocations post-Tampere. In the 2002-2006 Morocco CSP a fair amount of attention is dedicated to migration. The document refers back to the Tampere Conclusions and its call for a common and comprehensive EU migration policy as a basis for the proposals

contained in it. The CSP adopted a preventive approach in its analysis of migration, and presented it as one of three interrelated elements: unemployment-poverty-migration (Commission 2002b). It advocated that cooperation on migration focused on legal migration management, combating irregular migration, and efforts to develop regions of high emigration. The underlying assumption was that concentrating on development and offering people employment opportunities at home and abroad would decrease the need for them to emigrate, especially through irregular means.

For 2002-2004, aims were for greater European involvement, and work on an economic and social development plan. More specifically, the corresponding NIP proposed three programmes along the following themes: institutional support for circular migration, institutional support for combating irregular migration, and development of Morocco's Northern Province (known for its high rates of emigration). These three themes were the components of a comprehensive external dimension—legal migration management, irregular migration control, and migration and development, respectively. Funding was earmarked for these initiatives and specific measures proposed as part of the social, cultural and human component of the 2004-2006 NIP; this component accounted for 50 percent of the Programme. Establishing a framework for legal migration exchanges and mobility was assigned €5million, frontier control was given €40million,<sup>26</sup> and €70million was dedicated to development of the Northern Province. In total, migration-related initiatives received €115 million (12.5%) of the MEDA II budget (Commission 2007f). These funds were allocated towards the end of the budgetary period, and coincided with an

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<sup>26</sup> A compendium of programmes running in Morocco provided by a Commission official at the Delegation in Rabat documented funding for this project as being of €67,625 million, but no evidence of this figure could be found in documents published by the European Commission.

increase in disbursements compared to earlier years (as can be seen in table 5.1 above).

Attention to migration issues in Morocco's programming documents, however, decreased in subsequent years. The framework for bilateral relations with Mediterranean countries changed with the development of the European Neighbourhood Policy. The ENP was conceived in 2003 as a new approach to dealing with neighbouring countries following the imminent EU enlargement of 2004 (Commission 2003b). In what concerned the Mediterranean, the ENP substituted the bilateral component of the EMP, which instead became an exclusively regional framework. The ENP sought to facilitate the deepening of bilateral relations with third countries that were committed to pursuing common goals (Commission 2004b).

In line with the launch of the ENP, the Commission prepared a Country Report (staff working paper) for Morocco in 2004, and a corresponding Action Plan was adopted in 2005. The Country Report assessed relations between Morocco and the EU, and "selected areas of particular interest" (Commission 2004a: 3), one of them being JHA. Under this section, the report reviews visa, immigration and migration control policies that had been introduced by the Moroccan government; it also mentions that readmission agreement negotiations on behalf of the Community were ongoing. In addition, the document refers to two theme-based groups: a Justice and Security sub-committee that had been set up to discuss JHA issues, and a working group on migration and social affairs, which "identified and holds regular discussions on a number of practical questions relating to migration such as co-development, social integration, visas, illegal migration, transit migration and better information, and practical cooperation projects" (ibid: 11).

Based on the Country Report, the Action Plan outlined sets of actions envisaged to be taken under the new ENP framework, which were in line with the different elements of the external dimension. There was increased focus on migration management, including concluding a readmission agreement and facilitating legal

migration, information exchanges, and further discussions on how to deal with migration challenges—from a preventive perspective, but more so in terms of restrictive measures (Commission 2005e). As far as official documents go, there was somewhat of a shift from a predominantly developmental analysis contained in the 2002-2006 CSP, to increased focus on building Morocco's capacity to control and manage irregular migration flows.

In line with this new framework for relations, a new CSP was prepared for the 2007-2013 period. What is noteworthy is that in this document, in contrast with the previous CSP and the ENP Action Plan, the focus on migration-related measures is noticeably less. The CSP mentions linkages to poverty and unemployment as incentives for Moroccan emigration, and encourages exploring ways of cooperating further in JHA issues. But in the corresponding NIP for 2007-2010 there are no new initiatives to pursue migration objectives. The only mention of migration is made in relation to supporting vocational training (and thus complementing the results of the project on institutional support of legal migration funded under MEDA II cited above), and extending the project on development of the Northern region known for its high levels of emigration (Commission 2007h).

As for budgetary support, MEDA II was replaced by the European Neighbourhood Policy Instrument (ENPI) from January 2007. Under the ENPI, Morocco continued to be the highest recipient of funds, receiving €654 million between 2007 and 2010. In addition, with the ENP allowing for the differentiation of bilateral relations, Morocco came to be a privileged partner; their relations with the EU have led to its achievement of Advanced Status in 2008, described by officials as a “partnership plus” (DG Relex official, Oct 2009). Advanced Status provides Morocco with a number of privileges in its dealings with the EU: for example, deepening of political relations, joint coordination of external policy, access to information prior to international meetings, participation in EU programmes and projects, as well as measures to approximate legislation and standards in different policy sectors and to establish closer economic ties (DG Relex official, Sep 2009; EU 2008). The



breakdown of funds, however, shows no Commission contribution to migration-related initiatives per se (Commission 2011). Instead, support for this issue-area was consigned to fall under thematic lines, namely AENEAS and its successor, the Thematic Programme. Both of these will be reviewed below, but suffice to say here that they operate out-with an official framework, involve a range of actors wider than partner governments, and operate on a project-by-project basis.

Why did the prominence of migration in official documentation and funding allocations decrease at the bilateral level, despite parallel developments in Commission officials' conceptualisation of the external dimension reviewed in the previous two chapters? A possible explanation is contained in the 2011 CSP. The document states that migration issues are indeed discussed in ongoing cooperation between the EU and Morocco, notably through the sectoral migration and social affairs sub-committee, but that migration would gain greater prominence in relations should a readmission agreement be concluded. Furthermore, the CSP notes that, were an agreement to be reached, operational capabilities, financial resources (ENPI included) and other instruments could be designed to tackle Morocco's concerns with the repercussions of readmission, in particular in terms of reintegration and socio-economic considerations linked to it (Commission 2007g, h, 2011).

The European Commission was given a mandate by the Council to negotiate readmission with Morocco in September 2000. By April 2001 Morocco had received a draft text of the agreement and informal negotiations started between the EU and the Morocco Association Council, which were then formalised in April 2003 (Coleman 2009). By November 2005 eight rounds of negotiations had taken place with no agreement in sight (*ibid*). When interviews were conducted for the thesis between September and November 2009, there had been thirteen rounds of negotiations, with the fourteenth upcoming. Commission officials explained that the text had more or less been finalised and was pending signature, but that the Moroccans were reticent to sign and further rounds of negotiations were expected. At the time of writing a readmission agreement had not yet been finalised.

*Regional frameworks: The Euro-Mediterranean Partnership*

Parallel to the developments outlined above, migration was also pursued as part of the regional EMP framework. Migration-related endeavours under the EMP have had limited success in achieving desired goals, namely bringing together countries concerned with migration challenges (including Morocco) to collectively tackle preventive and restrictive measures. At regional level, Morocco has been involved in declarations on the intent to cooperate with other countries in the region on migration management objectives, and exploratory research and training initiatives on migration-related issues.

The EMP was launched by the 1995 Barcelona Declaration as a framework for bilateral and regional relations between the EU and Mediterranean countries on political, economic and socio-cultural matters (see chapter 1). Migration was only included as part of the EMP in as far as socio-economic goals were concerned (job creation, vocational training), and the desirability of establishing cooperation on irregular migration (Commission 1995). In part, the exclusion of migration from the EMP framework was due to this policy area falling under member-state competence at the time.

Migration became part of a separate EMP chapter, Migration, Social Integration, Justice and Security (JAI), at the 2005 Barcelona Summit. At this point, this issue-area was under Commission competence, and the external dimension had been underway for a few years; migration was an issue that had become increasingly salient in relations with the Mediterranean as a region of transit and origin of migrants, especially following high-profile incidents in Ceuta and Melilla in 2005, and mounting pressure with irregular migrants arriving frequently at the Canary Islands and Lampedusa. Morocco was a key country in this sense, and the aim of giving migration a regional dimension was to encourage Mediterranean countries to deal with common challenges collectively (Gillespie 2006). In as far as partners were concerned, they engaged in political declarations whereby they expressed their commitment to managing migration in conjunction with the EU under the EMP. But

as far as translating these declarations into changes in cooperation on migration management, progress has been limited.<sup>27</sup>

Instead, regional endeavours specifically designed under the EMP have consisted of explorative initiatives focused on research, training and study visits across Mediterranean countries. Morocco did not benefit from these alone, but was involved along with other Mediterranean partners. During the period covered in the analysis, two EMP migration programmes, dubbed Euro-Med Migration, were funded and implemented, and the third was being prepared.

#### Euro-Mediterranean Partnership Migration Programmes

<b>Programme name</b>	<b>Duration</b>	<b>Funding</b>
Euro-Med Migration I	2004-2007	€2million
Euro-Med Migration II	2008-2011	€5million
Euro-Med Migration III	2012-2014	€5million

*Table 5.2 Euro-Med Migration Programmes, 2004-2014 (data from ENPI 2012a, b; ICMPD 2012)*

These programmes concentrated on exploring the migration scene in Mediterranean countries, and establishing linkages between them through collaboration on research and training. Euro-Med Migration I, which ran from 2004 to 2007, was allocated €2million in funding. The project was designed for data collection on migration, dissemination of findings and knowledge-based training. As a result, the Consortium for Applied Research on International Migration (CARIM), based at the European University Institute in Florence, was set up. Subsequently, Euro-Med Migration II

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<sup>27</sup> Mediterranean countries have launched and participated in alternative frameworks created to manage migration collectively and in conjunction with sub-Saharan African countries: the Rabat and Tripoli Processes, both started in 2006. The Commission supports both of these endeavours because they are congruent with the EU's Global Approach aspirations (the Rabat Process received funding under AENEAS), but they were not Commission-initiated or part of the regional EMP framework. The Rabat Process was conceived by Morocco, France and Spain for cooperation on migration matters along the Western Africa migratory route. The Tripoli Process got underway following an EU-African Union meeting focused on migration and development (Collyer 2009).

was implemented between 2008 and 2011, and received €5million in funding, equivalent to 1.5 percent of the EMP regional budget for that period (RSP 2007e). Its declared aim was to consolidate progress made in the first tranche of the project, mainly by setting working groups. These working groups were in charge of carrying out analyses, training and study visits to third countries (Commission 2007d). At the time of interviews Euro-Med Migration III was under discussion. It has been allocated €5million for the period 2012-2014, and the International Centre for Migration Policy Development (ICMPD) is in charge of its management (see ICMPD 2012 for details).

#### *Thematic frameworks*

Thematic frameworks have provided an alternative venue for migration to be pursued with governmental and non-governmental actors in Morocco, and the range of programmes covered is wider than what has been implemented at bilateral and regional levels. Thematic programmes were created to complement bilateral and regional geographical instruments, such as the ENP and the EMP, and had a clear sectoral focus: in terms of the external dimension, migration and asylum. Thematic lines offer the opportunity to implement programmes with partners other than third country governments (although these are by no means excluded from projects in which they wish to take part). Thematic lines encompass “a specific area of activity of interest to a group of partner countries not determined by geography, or cooperation activities addressed to various regions or groups of partner countries, or an international operation that is not geographically specific, including multilateral or global initiatives to promote the Union’s internal policies abroad” (Commission 2005a: 3). The fact that thematic frameworks facilitated work with a variety of stakeholders provided access to additional platforms for implementing migration policy objectives. The aim was one of coordination and access; with different actors pursuing migration-related initiatives, it was argued that it was important to provide venues for discussion, for sharing best practices, and to ensure that there were no

duplications of efforts (Bosch and Haddad 2007). In addition, however, thematic lines were designed “to address sometimes delicate issues, or areas, or countries, where things have not really started yet; or they are at an embryonic stage and we want to test the ground, to take a few first steps and see what we can do. That is why it is there, and it has been quite valuable so far” (DG AIDCO official, Nov 2009).

The first thematic programme dedicated to the external dimension of migration was *Cooperation with Third Countries in the Areas of Migration*, also known as budget line B7-667. It was created in 2001 and allocated €10million in funding, increasing to €12.5 and €20million in the following two years, respectively. B7-667 was created post-Tampere “to allow for the adoption of preparatory actions in the field of migration and asylum” (Commission 2006a: 6); these actions covered the three elements of the external dimension: management of legal migration flows, irregular migration prevention, and fostering of links between migration and development. The geographical scope of this thematic line was mainly the Balkans, Eastern Europe, the Mediterranean and Asia.

The AENEAS Programme replaced B7-667, and lasted from 2004 to 2006. Its budget of €120million was higher than that allocated to its predecessor and its aims included more comprehensive migration policy objectives (Commission 2006a). The projects supported by AENEAS were divided according to migratory routes: African and Mediterranean, South-Eastern European, Eastern, Southern and Eastern Asia, and Latin American and Caribbean; there was also an additional allocation for so-called global initiatives, which focus could be applied to all countries concerned (Commission 2006a). AENEAS funded projects implemented by a range of actors. According to the Commission’s classification, these were international organisations, NGOs, national administrations and state agencies, foundations or federations, local authorities, and research institutes and universities (Picard *et al.*, 2009b). The idea was to bring actors other than partner governments into the picture to allow the pursuit of the EU’s established policy goals through a variety of venues to which these organisations and entities had access.

Projects under the African and Mediterranean migratory route received just over 46 percent of the total AENEAS budget. There were 22 initiatives solely targeted at Morocco, or with Morocco as one of the recipients, out of the total 50 for this migratory route, and they accounted for almost half of its allocated funds. The focus of these programmes ranged from irregular migration (six), return and reintegration (three), migration management (six), labour and legal migration (five), and migration and development (two) (Commission 2006a). The aims covered by these projects encompassed to a greater extent the three aspects of the Global Approach than bilateral and regional initiatives.

In 2007 AENEAS was replaced by the *Thematic Programme for Cooperation with Third Countries in the Areas of Migration and Asylum*, even though it had been planned to last until 2008 (Commission 2006a). Funding earmarked for the Thematic Programme was almost double that of AENEAS; it was assigned €205million for the first period of implementation (2007-2011). Its aims continued to cover the different external dimension priorities, “in particular migration and development; economic migration; prevention of and fight against illegal migration, including migrants’ voluntary return and reintegration; and international protection” (ibid: 8).

Under the 2007-2009 period of the Thematic Programme, ten projects were approved for Morocco (the highest number along with Moldova); the Southern migratory route received 43 percent of the total Thematic Programme’s funding (Picard *et al.*, 2009a). Then in 2010, Morocco was involved in eight additional projects (Commission 2010c). The focus of projects implemented in Morocco included border management and Assisted Voluntary Return (AVR), enhancement of migration governance and transit migrants’ living conditions, and information-provision on migrants’ rights and migration more generally (Commission 2007i). The Thematic Programme, like its AENEAS predecessor, is deemed by European Commission analyses as consistently pursuing the external dimension because it was able to target its different elements through supporting a wide array of projects. It continues to operate at the time of writing under the same premises.

## **5.2 Relex officials: Negotiating readmission and exploring alternative options**

For the time being we have a kind of patchwork approach. Development work has been planned here in Brussels amongst various DGs, most of it here [in Relex] but also some in JLS, and this is implemented by the Delegation [in Rabat]. Some work is being done directly by the Delegation in terms of support to local NGOs, plus the readmission agreement negotiation. (DG Relex official, Nov 2009)

The definition of implementation employed in the thesis considers migration-related funding allocations, programmes and negotiations as instances of the Commission incorporating the external dimension into its practices. However, when Relex officials in charge of working with Morocco were asked about how the external dimension of migration, and more specifically the Global Approach as a strategy was being implemented, they claimed that there was no implementation. More than one Relex official claimed that there was nothing on migration with Morocco (DG Relex officials, Sep-Nov 2009). The failure to conclude a readmission agreement was seen as the reason behind not having drawn a cohesive framework for pursuing migration priorities. This initial response exposed Relex officials' view that even though migration had been taken into consideration in programming and funding, and was part of negotiations particularly on readmission questions, it was implemented in a rather ad hoc manner and not as part of an overall migration strategy. It was only when probed further that officials reflected on the migration-related changes that had taken place out-with a comprehensive framework, and that are useful for analysing the migration practices they adopted.

### *The challenges of negotiating readmission*

Readmission negotiations were the most visible aspect of the implementation of the external dimension with Morocco at bilateral level. Despite not achieving palpable results in this respect, namely the conclusion of an agreement, negotiations were the issue that Relex officials would discuss at length as the key to understanding the way

the Global Approach was (or rather was not) being implemented. Readmission was portrayed as an obstacle to cohesive implementation and as a reflection of the way in which the concern with restrictive measures dominated over the pursuit of a preventive agenda. If we were to take this aspect of implementation alone, the external governance literature would provide an accurate account of the content of policies pursued under the external dimension. However, Relex highlighted that a strategy focused on readmission posed a constraint on it as a DG pursuing migration goals in line with their traditional external relations and development remit.

Rather than seeing its role as representative of EU interests, therefore, Relex was critical in relation to its organisational culture. Relex officials were heavily involved in this aspect of implementation, since they had to negotiate the agreement with Morocco. They focused on three issues with regards to negotiations: their position as a broker between the EU and Morocco, the constraints on performing their negotiating role and function, and the likely repercussions that readmission would have on other aspects of the DG's remit in terms of external relations in general, and on the development cooperation actions they undertook more specifically.

Relex saw itself as responsible for finding a balance between member states' demands, those of JLS, and the concerns voiced by Morocco. They cited pressure from member states and JLS to find a way of concluding the agreement; EU states were concerned with finding a solution for irregular Moroccan migrants on their territory and also those who had transited through Morocco. Relex officials highlighted that they could not present readmission demands as requested by member states and JLS because they were not given appropriate tools to negotiate them, and their proposed stance was likely to damage relations with Morocco: "in general you cannot present this kind of negotiations in terms of political and diplomatic pressure, especially with an important country with Morocco" (DG Relex official, Oct 2009).

For Relex, Morocco was a country with which the EU had excellent relations. The fact that Morocco had been granted Advanced Status in 2008 was seen as evidence of its positive progress in achieving ENP goals and benchmarks. The multiple



elements at stake in the EU's relations with Morocco, embodied in the various policy areas covered by the Advanced Status, were crucial considerations for Relex officials negotiating readmission; they did not think it was in the interest of the Union or the Commission to jeopardise these interests for the sake of migration priorities (DG Relex officials, Sep-Nov 2009).

Interestingly, however, Relex officials who had been involved in internal EU discussions on whether to grant Advanced Status noted that they had considered conditioning it on the conclusion of the readmission agreement. They argued that the DG had faced constraints in advancing the EU's position without appropriate means for negotiation. In the end, an assessment was made that such a move would have been detrimental to relations with Morocco in other policy areas, and it was decided that the migration component of the Advanced Status would be left undeveloped until readmission was signed.

This was the result of an overall political decision. [...] We have a problem with the readmission agreement, but this will be treated in its own way and should not prejudice the development of relations in the overall picture. So this was a kind of policy decision made on the basis of an assessment made, essentially, by DG Relex. (DG Relex official, October 2009)

This final decision is congruent with Relex's perceptions and prioritisation of migration vis-à-vis other issue-areas; given that Relex officials had consistently expressed frustration at the dominance of restrictive measures as part of the external dimension, it was unexpected that they would have considered conditionality as a means of concluding readmission. However, they explained that the Advanced Status would have served as a bargaining tool in the absence of migration-related concessions from the EU's part, particularly on visa facilitation and legal migration. Relex's consideration of conditionality in this instance suggests that DG officials attempted to adapt to limitations in performing their ascribed remit. In the absence of concessions on the preventive aspects of migration, the DG considered employing tools it *did* have to advance the readmission aspect of the external dimension. Within

EU circles officials had sought to obtain results and bypass constraints to their role as negotiator, but also to convey that the Commission needed a stronger negotiating position vis-à-vis Morocco.

Nonetheless, despite admitting to the content of internal discussions, Relex officials conceded that the decision not to condition the Advanced Status was the appropriate one to take in view of overall relations with Morocco.

I think wisely we decided to take the wider picture of what Advanced Status is in terms of our interest in stability, in developing relations with Morocco and supporting its reform process. [...] But of course when granting Advanced Status we strongly hinted to them that we were expecting soon enough some substantial progress [on readmission]. (Commission Delegation official, Oct 2009)

As mentioned above, the concern was with not affecting interests in other policy areas, but also what a readmission agreement would mean in socio-economic terms. Both of these considerations impinged on their implementation agenda and were consistent with what already fell under Relex's responsibilities. Instead of employing the Advanced Status as an incentive, officials opted for taking stock of Moroccans' qualms about readmission. In this regard, and consistent with organisational sociology, members of the DG were responsive to their political and sectoral environment. Officials recognised that the terms being asked from Morocco were somewhat unreasonable; they argued that Morocco could not be expected to agree to the details being proposed in the agreement without getting something substantial in return—as the Advanced Status would have been prior to its granting, and as visa facilitation would be if it were to be offered: "I'll be frank, the question is how far we can advance on an agreement that is perceived clearly, essentially, as a one way street without having a credible perspective of something that they would gain through visa facilitation" (Commission Delegation official, Oct 2009). In addition, the conclusion of a readmission agreement would bring about repercussions that needed due consideration and that would affect the development situation in Morocco.

The above observations also suggested that Relex officials were critical of what they were presenting to Moroccans on behalf of the EU, and they acknowledged that Morocco had grounds to resist signing readmission. They indeed described negotiations as “complex” and “problematic”, and were pessimistic about the prospects of finalising the agreement (DG Relex officials, Sep-Nov 2009). They further specified a number of points that led to deadlock in negotiations. On who would be sent back from the EU, they admitted that the Moroccans did not have a problem with taking back their own nationals but were unwilling to accept third country nationals (unless they were absolutely certain it had been their responsibility that they arrived in the EU irregularly). This point linked to two technical issues that were described by officials, both from the Commission and from the Moroccan Ministry of Foreign Affairs, as the crux of negotiations: what would be acceptable as proof of transit and the time period within which readmission was to take place (DG Relex and Moroccan officials, Sep-Nov 2009).

Relex officials explained that accepting the conditions of the agreement, and the sending back of third country nationals, would create political problems and exacerbate socio-economic ones. Politically, Moroccans did not want to police sub-Saharan Africa for the EU, and did not want to be seen as doing so by their own public opinion and by other countries in the region. In terms of national policies and the domestic scene, the return of nationals and non-nationals would pose a number of challenges. Relex officials acknowledged that what the EU was asking from Morocco did not reflect the administrative reality of the country (an observation also made by Moroccan officials interviewed in October 2009). Moreover, the legislative framework and institutional/ infrastructural capacity for dealing with third-country nationals was precarious:

They [the Moroccans] would like to receive financial cooperation to organise the state of migrants in their territory, because they do not know when they will be able to send these people [third country nationals] to their origin country when they go back from Europe after readmission. So they will stay there for some time, and they create a problem. You

have to find a place where they can live, you have to feed them, and they cannot work so they cannot earn a living. So there are a number of problems, which are complex and also very costly for the budget of the state. (DG Relex official, Sep 2009)

These concerns reflected actors' perceptions and prioritisations in relation to their traditional external relations/ development cooperation remit, and in terms of how their negotiations would affect implementation practices in Morocco. These considerations directly related to issues generally covered in development cooperation, especially in terms of capacity building, unemployment and poverty; in terms of national returnees, the issue was whether they could successfully reintegrate into the economy and society. But to what extent did traditional development programmes shift their content in view of these concerns and considerations?

#### *Shifts in development cooperation with Morocco*

As an initial response, Relex officials in Brussels were quick to state that there was no implementation of the external dimension with Morocco at bilateral level. Even though conceptually the preventive aspects of the Global Approach were related to the content of the EU's development cooperation—and Relex officials did make this connection, as seen in the previous chapter—they did not at first hand refer to it as tailored to tackle migration concerns. It was only when asked how, if programmes had not changed, the external dimension was being incorporated to development in Morocco that they made linkages between root causes and migration considerations. European Commission officials working at the Delegation in Rabat, who were more directly involved in implementation than their Brussels counterparts, separated between the obstacles posed by readmission negotiations and progress they had made on the ground. The latter was in relation to the three projects reviewed above on border management, institutional support for legal migration and development of high emigration regions, as well as regular discussions between their team and Moroccan government authorities. Officials at both Brussels and Rabat levels,

however, did not see that traditional development programmes had substantially changed to incorporate migration-related priorities.

Relex officials consistently highlighted that they had always been engaged in development cooperation. As a Delegation official explained, development “is not being interpreted as a root causes approach as such, but 45 percent of our funds in Morocco in the 2007-2013 Programme are in social development. Does that link to a root causes approach necessarily? Clearly these [programmes] have a very heavy focus on social the aspect” (Commission Delegation official, Oct 2009). Another Delegation official added: “These things overlap. The priority of development cooperation is to reduce and eliminate poverty. That is the root cause of everything” (Commission Delegation official, Oct 2009). Development cooperation was already well-established in relations with Morocco when the external dimension was launched. Officials in Relex did not perceive that the way relations were being conducted had significantly shifted because of the incorporation of migration-related priorities.

If we look at the root causes of migration, I think that basically the European Union has always been working on that, not only in the Maghreb but also in sub-Saharan Africa. [...] The problem is that sometimes these policies have not worked sufficiently and, therefore, people are still poor and they still try to emigrate. But I do not think it is a problem of coherence of policies. There is more of a problem of concrete outcomes for these policies. (DG Relex official, Oct 2009)

Framing migration in relation to its socio-economic causes did not conflict with the agenda Relex already had, namely one that focused on poverty reduction and tackling unemployment, for instance, or encouraging trade and agriculture. In fact, officials were careful not to establish causality between their development cooperation efforts and migration flows. They highlighted that it was difficult to say whether migration had been affected by development, but they did emphasise that they had made significant progress in advancing development goals. In separate remarks, they spoke about Morocco’s efforts to control migration flows and improve

the standard of living in the country in conjunction with the EU and some member states, most notably Spain, despite the lack of a readmission agreement as a legal and overarching framework for the implementation of additional initiatives. (In this sense, they acknowledged Morocco's domestic policies and the Commission's support of them, particularly through what is known as the National Initiative for Human Development.) The concern of Relex officials seemed to always go back to whether their development agenda was being pursued, rather than if it was affecting migration:

There is a huge amount of money that is being mobilised. [...] But the problem is even bigger, so you can easily say that it is not enough. To be very honest, I have no idea which amount would be necessary because when people take the risk of illegally migrating to Europe, it is probably that the situation in their country is really very hard. (DG Relex official, Oct 2009)

Budget disbursements to Morocco were therefore not linked to migration goals by Relex officials, except in the instances where specific bilateral projects had been funded. As Commission Delegation officials in Rabat observed, these projects were conceived at a time when migration was beginning to be intensively discussed at different levels and began to be incorporated into various frameworks (as reviewed above, bilateral relations, the EMP, later the ENP and as we will see below the thematic lines). They did acknowledge that the country was the highest recipient of funds in the neighbourhood, but to them this was an indication of the good relations between the EU and Morocco, and of the latter's willingness to cooperate and foster linkages between the two. Migration was an issue discussed in the social affairs and migration working group, and it was salient in the ENP Action Plan pending the conclusion of a readmission agreement. But they described development programmes as concerned with traditional goals to a greater extent than with how to address migration concerns.

Where they did address migration concerns in projects, namely the above-cited border management project, the institutional support for legal migration, and

initiatives targeted at regions of high emigration such as the Northern Province, it is interesting to review how officials saw these in relation to bilateral cooperation objectives. The border management project was implemented in conjunction with the Moroccan ministry of interior. In this case, the focus was entirely on migration control (and capacity building for Moroccan authorities to have the ability to deal with migration flows). An official in Relex explained that these kinds of control projects were easier to implement at bilateral level: “apart from financing of equipment and a bit of training we are not actively engaged in policy dialogue or policy implementation on irregular migration” (DG Relex official, Nov 2009). The Northern Province initiative, even though linked to migration in Commission documents, was treated as mainly focused on reducing poverty and tackling traditional development concerns. As for institutional support for legal migration, Commission Delegation officials in Morocco expounded on the initiative, branding it as a project designed to allow Morocco’s employment agency, ANAPEC, to act internationally in securing jobs for their nationals. The activities supported through this project were congruent with rendering legal migration a positive phenomenon; the aim was for ANAPEC to serve as a vehicle for information, training in language or specific vocations, and as a gateway for Moroccans residing abroad to get an idea of how they could invest back in Morocco or return (also called facilitating return).

Migration was, therefore, not mainstreamed into existing development programmes but was considered as overlapping with the EU’s development and external relations interests in general. Given these responses, officials were asked about what changes the external dimension had brought about if development cooperation remained essentially the same. As one official summarised it, “the value added is that now when we study certain cooperation programmes we pay more attention to migration aspects and problems related to migration: transit of people, the conditions in which people migrate, the fact that we may need tailor-made programmes to accompany readmission agreements, or that we could target (and we did actually) certain cooperation projects to regions where the migration rate is high” (DG Relex official, Oct 2009).

Officials did, nonetheless, expound on the kinds of initiatives that they would be keen to implement as part of the external dimension were they given the chance to develop them at bilateral level and with a development focus: training of officials, material aid for people who had to be reintegrated, assisted voluntary return for transit migrants, and equipping facilities to host the latter. In addition, they reflected on how the strategy for tackling migration related to frameworks for external relations; they said that “the migration and development dimension of the Global Approach is reflected in the *wishes*, in the *intention* to develop more mobility partnerships with countries in the ENP area” (DG Relex official, Oct 2009; emphasis added). They admitted, however, that the focus in this respect had so far been on eastern neighbours rather than Mediterranean countries like Morocco: “there is no specific instrument to foster mobility and development in the European Neighbourhood area” (ibid).

*Alternative implementation venues: regional and thematic frameworks*

The presence of migration in regional and thematic frameworks differs significantly. Whilst the regional EMP framework has a limited implementation dimension of migration, the Thematic Programme has proven to be the venue through which the Global Approach has been most consistently pursued. The main difference between thematic lines and bilateral/ regional frameworks is that the former is implemented without having to conclude official agreements with partner governments, whereas programmes under the latter have to be negotiated with governments and conform to particular requirements (readmission, for instance).

Relex officials in charge of the EMP highlighted that there were no formal negotiations with partner governments on multilateral, regional initiatives. As seen above, migration initiatives under the EMP were limited to Euro-Med Migration I and II, and these programmes mainly focused on research, study visits, discussions and training activities. Additionally, at the time of interviews an information website on remittances was being developed. One of the officials interviewed said all of these



constituted preparatory actions to find a common ground for future activities, and they were a way of ensuring that actions were complementary rather than duplicated. The same official did emphasise, however, that having several participating countries on a sensitive subject like migration hindered progress and pace of implementation, and dictated the kinds of initiatives that were pursued. Studies, training, technical and financial support, and exchanges at the level of administrations were easier to carry out than governmental decisions involving multiple stakeholders.

Officials illustrated the difficulties of implementing migration as part of the EMP by referring to two interrelated events: the first Euro-Med ministerial meeting on migration held in Albufeira, Portugal in November 2007, and the launch of the UfM in 2008. These events took place after migration was incorporated into the EMP framework through the JAI chapter in 2005. In Albufeira, ministers agreed to take actions at regional level to harmonise the different aspects of the external dimension: legal, irregular, and migration and development. Morocco was highlighted in this context as quite interested and cooperative, especially in comparison with other Mediterranean countries. But it had taken nearly two years for the EU to agree internally on what they would negotiate with partner governments; implementation was hindered by member states wanting to advance readmission priorities through the EMP, and the Commission's DG's arguing that readmission was not an issue to be incorporated into the regional framework—especially Relex, who was concerned with its legitimacy vis-à-vis partners (DG Relex official, Oct 2009). Furthermore, once negotiations had started, member states wanted to revise the EU's position, which created further internal tensions. The Commission was adamant about not losing its credibility and maintaining its negotiating position on behalf of the Community.

The re-launch of the EMP as the UfM followed in 2008, but migration was discarded as a policy area to discuss under this framework, even though the text of the UfM refers to the Albufeira Conclusions (Council 2008). The reason was that the EU “wanted to deal with issues linked to economic investment, infrastructure,

interconnections, energy and transport. It very much avoided political issues, migration issues, and delicate questions. It was an approach to say: let us do what we can and ignore the problems we have. That will have to be dealt with in different frameworks, but not at regional level. This is a mistake in the case of migration, for example, because it is very much a trans-national problem” (DG Relex official, Oct 2009). The EU had the intention to incorporate migration into the UfM under the then-upcoming Spanish Presidency; however, this framework has not yet included migration, and has only declared it as an issue-area to develop in the future (UfM 2012).

Therefore, even though migration was part of some activities under the EMP framework, it had been limited to political declarations as far as governments were concerned. As an EMP official observed, “you can always organise a meeting of ministers. But in terms of decisions, except decisions to say ‘yes we will have a regional programme on migration, and to help to fight against illegal migration’, and things like this, except in these terms, except in terms of spending money, I do not think there will be any decisions affecting the migratory rules in the region” (DG Relex official, Oct 2009).

The focus on control was cited as an obstacle to approaching migration more positively at a regional level. Relex officials explained they were pushing for a balanced approach, arguing that unless migration and development and legal migration were incorporated into implementation, the external dimension of migration would fail—or as had been the case till then, remain limited to certain initiatives and political commitments. They were keen to explore ways of streamlining migration into portfolios that were already well-developed under the EMP and that would reflect in more comprehensive programmes; the idea was to develop practices away from the dominant focus on controlling irregular migratory movements. But so far they had found obstacles in doing so precisely because of internal EU interests pushing for the pursuit of restrictive migration control aspects (DG Relex official, Oct 2009).

The thematic programmes, on the other hand, exposed a different implementation picture. They were Relex officials' reference to how the external dimension of migration was most successfully being translated into specific programmes, and where most activity was taking place to implement the different aspects of the Global Approach. One of the advantages that officials saw in thematic budget lines was that, as opposed to the ENPI, the agreement of the third country in question is not required for implementation. Nonetheless, officials in AIDCO emphasised that thematic programmes were parallel and ought not to become dominant. Eventually, the initiatives they covered should be integrated into bilateral country cooperation.

The Thematic Programme is centrally managed by DG AIDCO: "this means that the [Commission] Delegation in Morocco is not really the one in charge, and it does not go through the usual process of negotiation with the authorities and as part of general aid and external cooperation" (DG AIDCO official, Nov 2009). Relex also highlighted that in these kinds of initiatives they did not have any policy role or dialogue with Morocco, and made a distinction between the official framework and the thematic one: "it is one thing to support NGOs, and another to have structured and established mechanisms to discuss policy" (DG Relex official, Nov 2009). Nonetheless, the way in which funding was assigned for different Thematic Programme projects was described as being congruent with the regional/ bilateral goals of external relations DGs, and careful not to allow the predominance of restrictive measures: "we try to maintain a view on what is basically the overall development strategy with a country, and Relex of course on what our relations are like, the political relations with a certain country. This is also where the money comes in. [Intra-Commission bargaining] does not go in the direction of just soothing the anxieties of the member states on migration" (DG AIDCO official, Nov 2009).

NGOs are seen as playing quite a substantial role in implementing initiatives congruent with the Global Approach because "they usually are where big organisations are not able to operate" (DG Relex official, Oct 2009). This is also the case for international organisations, such as the IOM, which operates a number of

AVR programmes with financial support from the Community, and cooperates with local organisations in providing a range of services to stranded irregular migrants (IOM official, Oct 2009). The view of the Commission in this respect was that:

This is very hands-on work because they screen people, they run medical tests, they obtain documents for people, host them in special houses for some time, and finally when everything is ready they go back and they find, in the origin country, someone receiving them and providing them with the support and assistance necessary to resettle. (DG Relex official, Oct 2009)

Despite the fact that a readmission agreement had not been signed with Morocco, the IOM and other organisations involved in Thematic Programme projects helped perform a number of tasks related to its implementation. Support was likewise given to the UN Refugee Agency (UNHCR) in order to provide advice to the Moroccan government to develop their own asylum system and the means to conform to their obligations under the Geneva Convention: “they have become reasonably coherent in being able to give social services, access to hospitals and so on” (Commission Delegation official, Oct 2009). These initiatives not only meant that costs were being diffused and initiatives implemented out-with an official framework, but also that issues that partner governments were not amenable to discuss were addressed. In part, it was feasible to withhold a readmission agreement as long as there were a range of organisations carrying out work coherent with the external dimension of migration. In addition, contentious aspects of the Global Approach could be developed in a small scale, and also without binding member states to providing visa facilitation and legal migration opportunities; for instance, seasonal workers were sent from Morocco to Spain every year. According to the Commission Delegation, these amounted to 12,000 per year. Nonetheless, even under the Thematic Programme there was resistance from member states to offer labour migration opportunities.

### **5.3 DG JLS: Restrictive measures, official concessions and questions of access**

As seen above, a number of migration-related projects have been implemented in Morocco, either at bilateral and regional official level, or through parallel thematic frameworks. In addition, readmission negotiations have become a crucial aspect of relations, and migration-related priorities are regularly discussed between the EU (through DG Relex) and Morocco.

JLS is the DG in charge of the external dimension of migration, and therefore influential in setting the agenda. For JLS officials, implementation rested on three tenets: the pursuit of policies following a particular chronology, the availability of funding, and the Commission's room for manoeuvre in migration policy practices. Reliance on these three tenets reflected the DG's take on what is necessary for pursuing objectives and how to do it, and a concern with ensuring that there is a certain degree of legitimacy for the Commission as an organisation who is acting in the external realm. In line with the theoretical propositions advanced in chapter 2, DG JLS had developed particular ways of thinking about the actions that need to be taken in order to achieve objectives (DiMaggio and Powell 1991a; Nugent 2000). Officials interviewed deemed that the substantial amount of funding granted to Morocco was a reason for expecting greater cooperation on readmission, and the latter conducive to implementing more comprehensive goals at bilateral level. However, even though they justified the order in and means by which the different elements of the external dimension were being pursued, they also expressed frustration at not having all negotiating tools and competencies to pursue the Global Approach. Their ability to perform their role was hindered by member states remaining in charge of legal migration and visa facilitation.

#### *The aim of readmission negotiations*

JLS officials were adamant about Morocco concluding a readmission agreement, which is congruent with the DG's organisational identity and its prioritisation of

attaining internal security. Readmission with Morocco would serve to ensure that the country was liable and officially committed to cooperating on fighting irregular migration. It would also allow the Commission to discuss and engage in the more positive aspects of the Global Approach, such as offering increased mobility for Moroccan nationals to work in the EU.

Negotiating readmission was therefore the first implementation step of the Global Approach in the eyes of JLS officials. A more structured and comprehensive approach was not in the agenda until readmission was concluded, although for officials the ad hoc initiatives implemented by the Commission paved the way for future programmes. JLS officials claimed that readmission had not been envisaged to be a condition for other aspects of the Global Approach to be tackled, but became so from their experience of the negotiation process with Morocco. Some of the officials who had been directly involved in negotiations were indeed suspicious of Morocco's attitude (DJ JLS officials, Sep-Oct 2009). The fact that negotiations had been ongoing with the country for a long time created "exasperation" in member states and JLS; "it is now for years that we discuss and so when the Moroccans come to us and say: 'well we want more mobility', we are less receptive because we have five years of negotiations behind us and no progress" (JLS official, Sep 2009). Moroccans had admittedly made considerable advancements in reinforcing their migration control mechanisms, "but they do not want this to be crystallised in an agreement" (ibid).

Despite highlighting that discussing other aspects of the Global Approach may be constructive for implementing the different aspects of the external dimension, JLS officials generally deemed that the incentives for signing an agreement were already available in bilateral relations, or would readily be made available once readmission was concluded, and mobility need not be added to the package in advance. Implementation for JLS was a bargaining exercise between the Commission and third countries; it was portrayed as a process of giving and taking, and of third countries honouring their partnership with the EU by agreeing to cooperate on

matters of common interest. Officials conceded that Morocco was the most engaged of Mediterranean countries on operational cooperation with member states, including on irregular migration, and they recognised that as part of the reason for their stance was precisely due to Morocco being more engaged than other North African countries:

We have big problems with countries like Libya, or Algeria too, where actually we have not succeeded in entering negotiations. And so now we feel that we are going nowhere if we do not begin to discuss mobility with these countries. But then we should discuss mobility with Morocco because they have been more cooperative; we cannot now say to Morocco: listen, readmission first and then we speak about the rest, when actually with other countries we would begin to speak about the rest because we have no choice. (DG JLS official, Sep 2009)

But even though officials insisted on the need to conclude readmission, two of them highlighted that it would not be put into practice on a large scale, but was seen as a tool for Morocco to abide by its responsibilities and develop its capacity for managing migration, as well as being a symbolic safeguard for the EU to itself manage irregular migration flows. They emphasised that the EU would not be massively sending people back: “it is not something that we will put in place. It is much more on a day-to-day basis. [...] I mean a readmission agreement in the end is just an administrative agreement. It is not much. What we really need is the cooperation of the authorities” (ibid).

Officials did not at first hand refer to the possible socio-economic repercussions readmission might have, for instance in terms of reintegration of Moroccan nationals and capacity to absorb transit sub-Saharan migrant returnees. (As seen above, these issues were important considerations for Relex officials’ assessment of readmission negotiations.) An official explained that return was not a real problem: “In terms of reintegration, OK fine, it can be a problem for Morocco. But I mean, we spend a lot of money, we give a lot of money to Morocco to develop some services for their migrants, whoever they are. [...] If they have a problem, they can flag it and we can

discuss or address it in the strategy that we have with these countries” (DG JLS official, Sep 2009). Dealing with the repercussions of readmission was part of having a partnership with the EU and sharing responsibilities. The funding that was being provided, and additional funds that the Commission was ready to discuss, were seen as sufficient for addressing these concerns. As for transit migrants and the challenges their return would imply, JLS conjectured that just like Moroccans, the EU had to deal with them; they argued that each side had problems and that responsibilities needed to be shared between them.

Nevertheless, some JLS officials regretted the chronology they defended when they spoke about member states. As one of them put it: “It is a pity but we are in this configuration, in this dynamic, that we should first have some positive steps on illegal immigration before embarking in a dialogue on mobility and visa facilitation” (DG JLS official, Sep 2009). When it came to sharing competencies with member states, JLS officials adopted a slightly different angle: they expressed concern with their legitimacy and ability to pursue external dimension goals. In this regard, they highlighted that their position was largely informed by member states’ requests, despite the Commission having the mandate to negotiate readmission. One official stressed that it was in the Commission’s interest not to deviate too much from the line established by member states; even though DGs tried to secure a different approach in internal discussions, presenting it to third countries without the full consent of member states would discredit the Commission.

In this respect, JLS faced a dilemma. On the one hand, member states were the sectoral and political environment from which the DG derived legitimacy for their role. On the other, they hindered the progress they could achieve under the Commission’s umbrella, and by default as a unit within it, compromising its organisational role. When talking about the member states, JLS officials seemed to be more amenable to the idea of pursuing a more comprehensive approach with Morocco, saying that what was in the interests of member states was not always in the interest of the Community. From this perspective, they justified lack of progress



in developing a more comprehensive approach as rooted in the Commission not wanting to lose credibility vis-à-vis Moroccan (or other third country) counterparts. In addition, they were somewhat critical of how they saw member states engaging with the Commission, in a way that did not always help achieve Community migration goals.

In fact, JLS officials expressed a certain degree of frustration with the limited degree of manoeuvre they had in negotiations because of constraints imposed by member states. In a sense, member states were portrayed by JLS as asking the Commission to negotiate readmission with terms they would not pursue as part of bilateral relations. In addition, the member states wanted readmission to be part of Community level in order to decrease the costs of managing irregular migration. This attitude was inconvenient for the Commission. An official explained member states' stance as: "*it is difficult to negotiate but let the Commission do it*" (DG JLS official, Sep 2009; emphasis added), then continued: "so to a certain extent it is a way to say 'well, we have a problem with illegal migration, and we do not succeed in coping with it, so let us give it to the Commission. And if it works, ask them to do more, and we can say that actually we were behind it. If it does not work, then we can show that the Commission fails and then we have diverted the critics'" (ibid).

In terms of implementation of the Global Approach with Morocco, JLS officials' focus was predominantly on readmission over other aspects. They explained their rationale for pursuing this line as responding to a certain chronology: ensuring irregular migration is pertinently managed before systematising other external dimension elements. They emphasised, however, their limited manoeuvre in offering concessions in precisely these other elements, and expressed frustration at not having more competencies as an organisation to pursue the *Community's* interest. They also highlighted the fact that Morocco was a significant recipient of funding. In the sections below, their view of the funding offered to Morocco and its purpose is analysed.

*Development cooperation and migration in bilateral relations*

JLS officials reflected on the funding provided through bilateral frameworks, but they did not go into detail on the content of programmes at these levels and their relation to migration priorities. As a DG, they were not involved in programming and implementation of development cooperation; these responsibilities fell under Relex's (and AIDCO's) remit. In fact, for interviewed officials the initiatives targeted as part of traditional development aims were what Relex was already in charge of doing: "that is why there are hardly any contacts or inter-linkages with Relex people [on these policies], they simply do it according to their own development policy and country-specific objectives" (DG JLS official, Sep 2009).

The content of programmes with third countries, nonetheless, was seen by some JLS officials as tools that could aid in negotiating readmission. Rather than integrating migration into bilateral or regional frameworks, JLS was of the idea that existing relations could serve as bargaining tools; the implementation of more comprehensive initiatives in official relations with governments were out of the question as part of negotiations. Speaking about greater mobility opportunities for Moroccan nationals for instance, which would link with a developmental approach, an official highlighted: "Morocco has not been chosen for a mobility partnership and is not among the next countries on the waiting list because the fundamental criteria and final conditions for setting up a mobility partnership, a particularly trustful and confidential bilateral relationship with a given third country, are missing. The framework conditions are not there with Morocco" (DG JLS official, Sep 2009). As was seen above, this position differed from Relex's, who was in favour of integrating migration into bilateral and regional relations.

JLS officials also thought Relex could do more for implementation of actions in the stages following what they themselves were covering as part of their internal security remit. They spoke about financial tools put in place for member states to deal with irregular migration, most notably the European Return Fund. These were devised for the EU to manage the short-term repercussions of irregular migration, and JLS

officials saw them as relating to the external dimension in that they facilitated the return of irregular migrants and provided for their initial reintegration. Relex came in where JLS left off: “you have the special programmes operated by DG Relex and DG Development. [...] We only cover the immediate period after return, but nothing more” (DG JLS official, Sep 2009). These stages following return were seen by JLS as the responsibility of Relex officials, and elements to take into consideration as part of their overall development cooperation planning.

Implementation by Relex was viewed from two angles, though. On the one hand, even though migration could not be incorporated into relations in a structured manner, JLS officials highlighted that Relex ought to nonetheless make their development programmes more relevant to migration priorities: in targeting areas of high emigration, for instance, or in providing information to people in Morocco about the realities of emigrating to Europe. In what concerns reintegrating returnees, an official highlighted that long-term repercussions in Morocco would be addressed by Relex. Officials conceded that Morocco would be affected by the implementation of readmission,<sup>28</sup> and recognised that the country taking back transit migrants would imply measures to be taken there and with regards to Morocco’s relations with sub-Saharan African countries. But the fact that the Commission was ready to support and compensate for repercussions was portrayed as a long-term solution to these issues.

On the other hand, officials noted progress that had already been made in bilateral migration control actions, which was aimed “to financially support border services from neighbouring countries to live up to the responsibilities we would like them to

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<sup>28</sup> Returning migrants from Morocco to their countries of origin would affect the remit of DG Development. Having readmission of third country nationals with neighbouring countries would be an additional facilitation that Morocco could negotiate given the sensitivity of the topic for ACP countries and the costly nature of return (DG JLS official, Sep 2009).

take in the future” (DG JLS official, Sep 2009). Morocco was viewed as a substantial recipient of funds for building its migration control capacity, through the provision of border surveillance equipment, for instance. They saw that the Commission had started offering the necessary support: “we are assisting them financially. It is not only about patrolling. We are assisting in capacity building, in terms of better policy construction. Our assistance, our financial envelope destined to Morocco is very considerable” (DG JLS official, Nov 2009).

In general, JLS officials acknowledged the socio-economic and administrative challenges that readmission may pose on Morocco. However, they saw that Relex was in charge of dealing with these repercussions in the long run, and that substantial funding was in place and could be increased to compensate for consequences of implementation. They did not reflect on development and external relations to the extent that Relex did, which is consistent with deriving prioritisations from its remit of internal security. Nonetheless, JLS supported that actions be taken implicitly in development programmes as part of bilateral relations, despite there not being structured cooperation. The other venue through which this kind of cooperation could be pursued was the Thematic Programme.

#### *Thematic lines and implementation through other organisations*

In view of limitations on pursuing the external dimension in an integrated manner in bilateral relations, JLS officials turned their attention to thematic budget lines and their suitability as instruments to pursue migration-related goals in the absence of official frameworks. Budget lines provided funds, and availability of financing was equated with being able to implement and push through the external dimension in third countries. Talking about the aftermath of the Tampere Council:

In the years that followed there was absolutely no means for relations with third countries on migration. Then came budget line B7-667, which was the first attempt to have cooperation with third countries on migration, pilot projects and this type

of things. [...] But the budget was extremely limited. Then came the AENEAS Programme, and then the Thematic Programme. The Thematic Programme is really a programme with more money. [...] You have to look at the evolution of the instruments we use, and probably in the future the amounts and overall action of these instruments is going to be broadened. (DG JLS official, Sep 2009)

In JLS being the lead DG in the external dimension, its implementation role was one of mainly guiding readmission; but as the unit in charge of the external aspects of migration, officials also implied that they were in charge of defining orientations under the Thematic Programme. In fact, in describing the negotiating process for identifying priorities under the Thematic Programme, an AIDCO official described the way in which JLS tried to influence the focus of each annual programme depending on internal security considerations in general, and member states' pressure in particular. In this regard, programming did not come across as smooth-running, but as reflective of intra-Commission quibbles on how funding is allocated: "Relex and AIDCO have a slightly different view when it comes to the external dimension of asylum and migration because for *us* this is development money. It is *literally* development money. The money is with us, and it is here that we decide, and in fact where responsibility lies as well. We are accountable to the EU citizens of the money spent for development and it should not only be about keeping migrants out" (DG AIDCO official, Nov 2009; emphasis by interviewee).

Nevertheless, the Thematic Programme was the framework under which aspects other than restrictive measures were being applied. Despite not advocating offering these opportunities in bilateral relations, JLS officials supported the circular migration and mobility pilot projects that had been financed under thematic budgets. They also commended initiatives for return and reintegration of migrants from transit countries like Morocco to their origin countries in sub-Saharan Africa as positive experiences and examples of the comprehensiveness of the Global Approach. But officials conceded that these were pilot experiences, and that more needed to be done

to systematise projects and initiatives in a more far-reaching manner. With regards to return and reintegration:

It is not really return from our countries towards third countries of origin with fully-flanked measures. The idea behind it would be to try to promote voluntary return for those who are illegal here, and then accompany this voluntary return with some pre-departure training from here, and to promote smooth and easy reintegration there. It is still very theoretical; we have to work on it. Indeed, it is very complex. (DG JLS official, Sep 2009)

The Thematic Programme was not only seen by JLS officials as a framework to pilot initiatives covering external dimension objectives. It was also seen as a venue for implementation that provided access to third countries through international and local organisations, with whom they were “more or less obliged to work” (DG JLS official, Sep 2009). NGOs were also supported through thematic budget lines, but these were not always ready to take part in Commission-funded initiatives if they conflicted with their ethos—as was the case for a number of NGOs in relation to return programmes. Nonetheless, governmental and non-governmental organisations were argued to provide access for the Commission to pursue its external dimension goals: “for instance, we have put in place big initiatives for local actors in third countries and in member states, who are working on migration and development for promoting networking on the basis of operational projects. So, we finance small operational projects where actually local actors from member states and local actors from third countries, who express a wish to, work together so that we can stimulate these links. They can discuss and they can do something concrete about migration. And then we also have what I would call taking care of the migrants, which is another dimension” (DG JLS official, Sep 2009).

As an official put it, it was otherwise difficult to address the content of programmes pursued under the Thematic Programme as part of relations with governments, and this was because of the focus on readmission that they as a DG defended. Just like in their assessment of member states’ interests, from the perspective of thematic budget

lines JLS officials were supportive of a more comprehensive and far-reaching approach. However, their pursuit of a wider array of actions came without giving official concessions to third country governments in bilateral relations, maintaining its restrictive line in that respect.

## **Conclusion**

The external dimension of migration has been integrated into relations with Morocco on three levels: bilateral relations, regional frameworks, and alternative (thematic) programmes. Depending on the level at hand, different elements of the Global Approach have been pursued, pointing towards patchy implementation of external dimension goals. As was seen in previous chapters, DGs JLS, Relex and Development conceived of their role in the external dimension differently. They also prioritised different aspects of this strategy following from their organisational identity. In line with the theoretical propositions of organisational sociology, they perceived migration policy in a way that was consistent with established rules and procedures, and actions that were congruent with the responsibilities they held (DiMaggio and Powell 1991a; Cini 2000; Nugent 2000; March and Olsen 1989). As this chapter has demonstrated, divergences within the Commission are also reflected in implementation practices, and in the manner in which officials make sense and employ venues for pursuing goals.

Even though it was conceived as a holistic strategy that would fall under a comprehensive framework of bilateral relations, in practice the external dimension has not materialised as such in relations with Morocco at various levels. Bilateral relations have focused on readmission and a nuanced incorporation of migration into development programmes, regional endeavours have been dominated by declarations and explorative actions, and it has only been through alternative, thematic frameworks that the most coherent initiatives have been supported and developed. Thus, the Global Approach has not been systematically implemented, but it has come to span different levels of action (bilateral, regional, and parallel thematic lines)

reminiscent of what Guiraudon (2000) termed *venue-shopping*: DGs have adapted their practices depending on the constraints they faced and opportunities they had.

Why is this significant? From an organisational sociology perspective, it illustrates Brunsson's proposition that complex organisations such as the Commission fulfil various interests by housing within them a number of orientations, which may at times conflict (2002). Organisations whose sub-units have to collectively implement objectives will have to negotiate on the meaning of goals and on the means to achieve them (March and Simon 1967). Implementation patterns with Morocco show how various perceptions and prioritisations of policy come together, and how DGs engage with them in a manner that is consistent with their organisational identity, and its structures of thought and action (DiMaggio and Powell 1991a), as well as responding to particular sectoral and political environments from which they derive legitimacy and guidance.

As a result, Relex somewhat tailored its development cooperation and was supportive of thematic lines, but it was rather constrained in bilateral relations because of its responsibility for negotiating readmission and concerned with how its relations with Morocco could be duly affected. JLS saw it fit that bilateral relations with Morocco were conditioned on the finalisation of readmission, but supported actions that tackled migration concerns in preventive areas, either implicitly in bilateral cooperation or in thematic programmes.

However, examining DGs' views on implementation presented two puzzles: Relex considered employing conditionality with Morocco, and JLS wanted to offer more comprehensive concessions in negotiations when reflecting on the impediments presented by member states. Why? I would argue that DGs not only strive to pursue policy objectives in a way that is congruent with their organisational identity and perceptions of how to achieve desired policy goals. They are also concerned with their legitimacy as an overall organisation; they are drawing on their responsibility as the implementers of the external dimension of migration. In working around constraints, they are attempting to solve problems according to their organisational



rules and available tools (March and Olsen 1989), and to derive legitimacy for performing their role.

There is one particular reason why the findings presented in the chapter are significant. The implementation of a comprehensive strategy such as the external dimension requires the involvement of DGs with different sectoral interests. Rather than divergence crippling the overall organisation and the pursuit of its goals, the inclusion of various organisational identities allows for the pursuit of complementary (or at time conflicting) goals, albeit at different levels. This observation is especially relevant to external governance accounts, which have focused on bilateral relations and sectoral cooperation on security-related matters (Lavenex, Lehmkuhl and Wichmann 2009; Lavenex and Schimmelfennig; Lavenex and Wichmann 2009). This body of literature has glossed over the dynamics within the Commission, but it has also portrayed a consensus in implementation that is not backed by the empirical findings of the thesis. Without acknowledging the complexity of the Commission, and the ways in which different organisational cultures within it interact in formulating and implementing policy, a sufficiently detailed picture of the external dimension of migration cannot be painted.

## Conclusion

In the thesis, I examined how European Commission Directorates-General JLS, Relex and Development integrated the external dimension of migration into their remits. The thesis aimed to answer two inter-related questions: how has the Commission as a complex political organisation incorporated the external dimension of migration? And, how have DGs JLS, Relex and Development made sense of and implemented migration policy responsibilities? Drawing on theoretical tools from organisational sociology, I argued that in order to understand the policy processes underlying the external dimension of migration and subsequent policy output, it is necessary to scrutinise the organisational cultures of the DGs involved.

The study makes two main contributions. First, it analyses in detail how the external dimension of migration was incorporated into the workings of DGs JLS, Relex and Development. To date, there is very limited material on the way DGs have specifically formulated the external dimension of migration (with the exception of Boswell 2008), and none have provided such extensive empirical data as the thesis does. Second, it challenges assumptions made by the external governance literature on the content of migration policy and the way it is pursued as part of the EU's external relations. The findings open new research possibilities on inter-DG coordination of policies, and pose questions on the impact of the changes introduced by the Lisbon Treaty on the Commission's policy processes. These research avenues could be extended beyond migration to other policy areas that the Commission is responsible for.

In addition to these contributions and options for further research, the analysis also leads to reflections on both, organisational sociology theorising and on the broader implications of the empirical findings, which are discussed at the end of the thesis. In relation to organisational sociology, the thesis exposes the need for theorising to

account for legitimisation practices within organisations, and for actors' multiple organisational references for identity and preference formation. In terms of empirical findings, the way DGs JLS, Relex and Dev have dealt with the external dimension not only adds to our understanding of how organisations incorporate policy objectives; it also has implications in relation to organisational change and implementation studies.

### **Summary of key findings**

The thesis was divided into five main chapters. Chapter 1 provided a historical background to the Commission's involvement in migration policy, and ways in which it sought to gain more influence in this policy area over time. Chapter 2 provided the theoretical framework for the thesis, which was drawn from organisational sociology, and a definition of the concept of organisational culture. Organisational culture was employed for empirically analysing how DGs JLS, Relex and Development incorporated migration policy responsibilities and translated them into output in the remaining chapters. I defined three elements as constituting officials' organisational cultures: organisational identity, perceptions of migration policy and prioritisations of the external dimension, and implementation practices. I have argued that these elements expose the dynamics of divergences between DGs in their taking in of external dimension responsibilities, and provide us with a more accurate picture of what it has meant for the Commission to incorporate this strategy amongst its responsibilities.

In chapter 3, I analysed the first element of organisational culture: organisational identity. Officials in DGs JLS, Relex and Dev conveyed their organisational identity with reference to their unit and sector rather than the Commission as a whole (even though they also highlighted that their work contributed to the Commission performing its tasks). Three factors in particular helped convey the organisational identity of DGs: actors' readings of formal remit and their units' institutional

structures, views of other DGs in relation to their role in the external dimension, and relations with interlocutors and counterparts in drawing and implementing migration policy objectives.

The official remit, as well as the institutional structures available to pursue policy objectives, were the basis for explanations of how each unit had adapted to incorporating responsibilities. This finding is consistent with organisational sociology, which posits that members of organisations derive shared perceptions of the rules of their institution; these rules encompass official functions embodied in institutional structures and procedures, and beliefs, codes and actions deemed appropriate for pursuing organisational goals (Egeberg 2004; March and Olsen 1989; Stone Sweet and Sandholtz 1997).

JLS highlighted its internal security responsibilities, Relex emphasised its role in managing the EU's external relations in a number of policy areas, and Dev its duty to safeguard development cooperation objectives. DG officials also related to their respective functions in assessing how colleagues in other DGs ought to incorporate migration policy. Assessments of migration policy orientations were divided between internal (JLS) and external (Relex, Dev) policy considerations, corresponding to the policy sphere where each DG operated. In addition, DG officials pertained to specific sectoral and political environments: JLS interacted with interior ministries at member state level, and was concerned about its credibility vis-à-vis its interlocutors. Relex was in regular contact with foreign affairs ministries in member states, as well as the third country governments of the EU's neighbourhood; they were points of reference for some of the DG's policy orientations and preferences. Finally, DG Dev was largely concerned with maintaining its legitimacy with third country governments with whom they negotiated and implemented development cooperation objectives. Each DG referred to their specific organisational agenda and established working practices to explain what their role in the external dimension was.

I examine the second element of organisational culture, DG officials' perceptions of migration policy and their prioritisation of specific objectives under the external

dimension, in chapter 4. When a particular policy like the external dimension is incorporated across departmental (in this case DG) boundaries, it uncovers conflicts in sub-goals held by organisational units (March and Simon 1967). Even though the external dimension, and more specifically the 2005 Global Approach to Migration, was presented as a holistic approach—an embodiment of EU rules—an examination of the DGs involved highlights that their views on its different components are far from being coherent. In organisational analysis, the units constituting a complex institution such as the Commission are seen as necessarily developing sub-ideologies that respond to various requirements from the organisational environment in order to gain legitimacy in the pursuit of multiple political objectives (Brunsson 2002).

The holistic strategy embraced as the Global Approach is composed of three aspects: irregular migration control, legal migration management, and migration and development objectives. JLS, in line with its internal security responsibilities, sought to advance the restrictive aspects of irregular migration control, in particular through the conclusion of readmission agreements with neighbouring non-member states. Their stance was defended as responding to the risks that come with granting legal migration concessions; to a concept of burden-sharing, whereby EU partner countries ought to share the responsibility of dealing with migration challenges; and was underlain by their support of using conditionality as a tool to achieve security-related objectives.

JLS's perception of the priorities to pursue as part of the external dimension is consistent with external governance in their focus on the security aspects of this issue-area. However, JLS is not the only DG involved; Relex and Dev's focus is not primarily on restrictive measures. Even though Relex was in charge of negotiating readmission with neighbouring states, they questioned the effectiveness of following this route to pursue migration policy objectives. Relex officials advocated offering greater legal migration opportunities. Their reasons for prioritising this aspect of the external dimension were based on aims to maintain healthy external relations, a concern with ensuring the pursuit of policies congruent with their line of work, and

an interest in achieving foreign policy gains. Lastly, DG Development did not really engage with restrictive measures, but were keen to highlight the development cooperation angle of migration issues. For them, two aspects were important. The first was that migration policy was linked to issues under their remit, and they had to ensure that development issues were not compromised by the EU's policies—what they called Policy Coherence for Development. The second was their prioritisation of ACP countries' wishes; they highlighted that they were in charge of ensuring that policies and orientations conformed to what these countries were interested in.

These varying perceptions and prioritisations of external dimension objectives illustrate that the Commission is not a unitary organisation in incorporating migration policy objectives. What they reflect instead is the premise on which complex organisations rest: the division of responsibilities, which in turn detracts from the ability to pursue comprehensive solutions because each unit will differ in the way they give meaning to initiatives (March and Olsen 1989). Each of the DGs relates to objectives in a way that responds to their specialisation and political agenda. Their collective involvement in the external dimension of migration brings to the fore details of the dynamics between them, and difficulties in formulating a cohesive Global Approach strategy to implement with partner governments.

The dynamics of policy formulation pose questions on policy output. In chapter 5, I analysed the third component of organisational culture, namely implementation patterns with Morocco. Being a country of high priority for the EU in terms of migration, and one with whom relations are quite advanced compared to other neighbouring states, Morocco was suitable for illustrating how perceptions and prioritisations have translated into concrete practices. The chapter detailed how JLS and Relex, who are the DGs involved in the implementation of the external dimension with Morocco, read migration policy goals and aims with this country, and how they employed different venues for pursuing initiatives: bilateral relations, regional frameworks, and alternative thematic programmes.

At bilateral level, relations with the Moroccan government focused on efforts to conclude a readmission agreement. Sectoral committees discuss migration issues, but these are not integrated into relations in a structured manner. As part of regional frameworks, Mediterranean countries have worked with the EU in exploratory endeavours; research and training seminars, and study visits have been conducted to analyse different aspects of migration issues. However, a wider array of migration policy initiatives has been implemented through parallel thematic lines. The latter allows for the pursuit of programmes congruent with the comprehensive objectives of the external dimension, and the Global Approach in particular, through actors other than partner governments. These programmes, put into practice mostly in conjunction with international and non-governmental organisations, allow for the pursuit of all elements of the external dimension, in particular those that are blocked at bilateral level due to the lack of a readmission agreement: legal migration, and migration and development. The way in which the Commission has implemented the external dimension of migration with Morocco reflects what Guiraudon (2000) has termed venue-shopping: different levels are sought for the implementation of policy objectives.

Implementation at different levels was underlain by divergent DG readings of the practices that ought to be pursued with Morocco. JLS emphasised the importance of concluding readmission before any other steps were taken. Its stance was consistent with the content of bilateral negotiations with the government. Regarding more preventive aspects as part of structured cooperation, JLS highlighted that funding would be made available to pursue objectives in due course, and was supportive of thematic programme initiatives. Relex was likewise supportive of thematic lines, although it was not directly involved—the scheme was mainly managed centrally by DG AIDCO, which is in charge of programming in development cooperation. In the programmes Relex implemented in Morocco some consideration was given to migration issues, but by and large the DG and its members at the Delegation Office in Rabat had continued to pursue initiatives in line with development cooperation goals.

The way DGs related to implementation patterns is explained in organisational sociology as being a reflection of difficulties encountered in organisations when translating their goals (the external dimension) into day-to-day practices and policy output (Brunsson 1985). Implementation, or action, in organisational sociology is not expected to match the officially declared goals of institutions (Brunsson 2002). In addition, action through different levels of implementation supports propositions that organisations, and the Commission more specifically, adapt to constraints by seeking arrangements that will allow for policy objectives to be pursued in a way that is consistent with the preferences of DGs or following particular sectoral agendas (Cini 2000; Favell and Guiraudon 2009; Hooghe 2005; Shore 2000; Trondal 2007).

The conclusions that can be drawn from the analysis are the following: DGs within the European Commission have incorporated migration policy responsibilities in line with their organisational cultures. The empirical findings are by and large consistent with the theoretical framework. The interaction between the organisational cultures of DGs JLS, Relex and Development highlight how policy processes on the external dimension of migration are underlain by divergences in views of what orientations to prioritise and how to pursue them. Policy formulation is complex, and implementation of external dimension initiatives has been patchy. How do these findings complement external governance approaches?

### **Theoretical contributions to the external governance literature**

The findings in the thesis challenge three main assumptions advanced by the external governance literature regarding EU rules, the modality of their transfer to third countries, and the actors involved in the external dimension of migration. I argue that external governance scholarship would benefit from considering the theoretical value of an organisational sociology approach for understanding internal organisational dynamics, and the policy processes underlying the external dimension of migration. In particular, the strand of external governance that adopts a sectoral lens for



analysing the external dimension could broaden its focus from security-related mechanism to include other migration-related considerations (and their sectoral interactions) that were examined in the thesis (for instance Lavenex 2006, 2008; Lavenex and Schimmelfennig 2009; Lavenex and Wichmann 2009; Lavenex, Lehmkuhl and Wichmann 2009).

So far, external governance interpretations account for a limited aspect of the external dimension of migration. They argue that the EU pursues migration policy with non-EU states following security imperatives, particularly with neighbouring regions (Johansson-Nogués 2004, 2007; Kelley 2006; Lavenex 2004, 2006; Occhipinti 2007). Therefore, in analysing the external dimension, authors have theorised that the EU favours policy formulation and implementation of the restrictive aspects of migration, such as readmission negotiations, and sectoral cooperation on border management, migration control, and so on (Lavenex 2008; Lavenex, Lehmkuhl and Wichmann 2009; Lavenex and Wichmann 2009).

This reading of the external dimension of migration is incomplete. The findings presented in the thesis suggest that a security-related interpretation of migration objectives is endorsed by only one of the three Commission DGs involved in this strategy: JLS. JLS's perception and prioritisation of objectives counts for one of the organisational cultures at play in formulating the external dimension of migration. By portraying the EU's approach to migration as unitary, and simplifying the content of EU rules and modality of their transfer, the external governance literature glosses over the policy processes taking place within the European Commission and the actors involved in them. These processes constitute a far more complex picture than external governance accounts have painted.

To begin with, EU rules on the external dimension of migration are not conceived of equally within the institution in charge of implementing them, the Commission. At official declaratory level, the Commission's DGs are meant to pursue a comprehensive approach to migration by tackling restrictive and preventive measures. However, JLS, Relex and Dev diverge in the way they make sense of the

different aspects encompassed in the external dimension strategy. The thesis disaggregated EU rules by examining how each DG related to external dimension objectives in line with its sectoral and political agenda, as well as following particular rules and established working procedures. Therefore, at the policy formulation stage, external governance accounts would benefit from examining nuances in the Commission's approach to the external dimension, and divergent readings of the priorities they aim at pursuing—or transferring—to third countries.

Related to the last point, the modality of transferring EU rules is far from straightforward. External governance scholars argue that the externalisation of policies will follow from processes and institutional arrangements at work at internal EU level (Lavenex, Lehmkuhl and Wichmann 2009). As I argued above, disagreements between DGs pose questions on the possibility for smoothly transferring modes of governance. More significant, however, is what implementation patterns tell us about rule transfer: the Commission has pursued initiatives through various levels depending on their content, rather than consistently endorsing particular practices.

The bilateral, official level coincides with external governance interpretations of the external dimension being focused on securitarian objectives, both in terms of the negotiation of readmission agreements and sectoral cooperation (Lavenex 2008; Lavenex, Lehmkuhl and Wichmann 2009). Some external governance writings acknowledge alternative venues for implementation through international organisations, which are seen as instances of the EU attempting to influence their agendas in the pursuit of its own goals (Lavenex 2007).

As with the portrayal of EU rules discussed above, these readings of implementation do not provide us with the whole picture. As we saw in chapter 5, readmission was not the only focus of bilateral relations: interactions at sectoral level expose regular discussions not only on migration control, but also as part of the social affairs sub-committee, for instance. In addition, the pursuit of initiatives under thematic lines in particular suggests that different aspects of the external dimension, preventive ones included, are prioritised by some of the Commission's units as a way of advancing

objectives in line with their organisational culture. The modality of transferring EU rules, which starts with divergences in policy formulation, is complex and leads to patchy implementation of the various objectives encompassed in the external dimension of migration.

Finally, and linked to the previous two points on EU rules and modality of transfer, migration policy brings together actors with different sectoral agendas and interests. Each DG conceives of migration policy in a way that responds to its organisational identity, and actors' perceptions and prioritisations of objectives. Thus, the external dimension involves the interaction of various actors, each endorsing particular interests. JLS was the only DG that had predominantly security-related concerns in terms of migration. The involvement of DGs Relex and Dev brought a range of other considerations into migration policy formulation: Relex emphasised migration management as a way of being consistent with its external relations role, and DG Dev highlighted its commitment to development cooperation objectives. The involvement of the three DGs, and the established working practices each had for performing their remit, influenced the way they internalised migration policy objectives alongside their responsibilities. Rather than the EU emerging as a unitary actor, what transpired is that various orientations have come together in incorporating migration to the Commission's practices.

### **Possibilities for future research**

The analysis in the thesis makes two main contributions. First, it argues for a theoretical addition to external governance accounts of the external dimension of migration, which would acknowledge the implications of the Commission's internal organisational dynamics on the pursuit of this strategy. Second, it provides a detailed study of the processes underlying policy formulation and implementation practices in relation to the external dimension of migration. The material provided in the thesis demonstrates that organisational sociology offers a largely suitable framework for examining the role of organisational cultures on migration policy processes.

The thesis opens avenues for further research on two fronts. First, the findings suggest that studies on the implications of inter-DG coordination of policies can be expanded employing organisational sociology. Few authors have researched in detail what it means for the Commission to incorporate policies across its DGs. However, scholars that have looked into this question have reached similar conclusions: that the different units within the Commission have particular ways of making sense of priorities and of translating them into output, and that when they have to coordinate policies, divergences come to the fore. Cini (2000) looked into interactions between DGs Competition and Environment as an instance where disagreements were based on each DG prioritising an approach consistent with its administrative procedures and remit. Morth (2000) examined tensions in the framing of defence issues between DGs Relex and Industrial Policy. Boswell (2008) theorised the different ways in which DGs Relex, Development and JLS adapted to the requirement of incorporating the external dimension of migration alongside their practices. Other authors have more generally acknowledged that DGs have different conceptions of priorities, derive particular rules for functioning, and find ways of formally and informally pursuing objectives in a way that is consistent with their organisational preferences (see for instance Abélès, Bellier and McDonald 1993; Egeberg 2004; Nugent 2000).

Conducting further research on how DGs' organisational cultures influence policy processes would contribute to a more detailed and rich understanding of how the Commission functions in different policy areas. The thesis contributes empirical material on how the European Commission incorporates objectives within its structures. It highlights the importance of understanding this organisation's policy processes and the dynamics underlying policy formulation. On migration specifically, this project has illuminated ways in which different sectoral agendas come together, as well as how organisational structures determine the possibilities for pursuing policy objectives, and ways in which DG members adapt to constraints and seek to implement policy orientations. The existence of these interactions within the European Commission is an important aspect of policy-making that can be researched and examined further. It can contribute to a more accurate understanding

of how this organisation functions on a day-to-day basis in different policy sectors, and of what underlies policy output.

Second, the thesis has demonstrated that actors' perceptions, and their relation to institutional structures and the organisational environment are significant for understanding how policies are formulated and implemented. However, the analysis examined the period between 1999, when the Amsterdam Treaty came into force, and December 2009, when the Lisbon Treaty was ratified. The Lisbon Treaty altered organisational structures and decision-making procedures, which will have an effect on how the external dimension is pursued, and the role the Commission plays in this regard.

To begin with, two of the DGs examined in the thesis have changed. DG JLS was divided into DG Home Affairs and DG Justice. Responsibility for the external dimension of migration now falls under DG Home Affairs. DG Relex is now part of the External Action Service (see Annex II for their organisational hierarchy charts). In addition, the ratification of the Lisbon Treaty eliminated the Community's three-pillar structure. Legal migration, which had remained under member state competence post-Amsterdam, is now subject to QMV and the more supra-national co-decision procedure.

Following from the theoretical propositions presented in the thesis, these changes in competencies and institutional structures are likely to have implications on how actors involved in the external dimension of migration make sense of the role of their institution and of migration policy in relation to it. According to the Stockholm Programme, the Commission's external role was meant to be strengthened, and its ability to more comprehensively tackle migration policy objectives as part of the Global Approach enhanced (Commission 2010b). Changes introduced by the Lisbon Treaty provide interesting premises to expand the research findings presented in the thesis on the external dimension of migration. These changes, however, also invite further research into how the internal organisational dynamics of the Commission

influence policy processes, policy formulation and policy output more generally, on migration as well as in other policy areas.

### **Final reflections on theoretical and empirical implications**

The analysis presented in this project leads to reflections on both organisational sociology theorising and on the empirical implications of the findings. These could not be addressed within the scope of the thesis, but they are worthy of a brief mention here.

The analysis in the thesis focused on examining DGs JLS, Relex and Development from an organisational sociology perspective. Even though the findings demonstrate that the concept of organisational culture can largely explain internal Commission dynamics on the external dimension of migration and illuminate details about policy processes, they also bring out factors worth considering in organisational sociology theorising.

Organisational sociology's theoretical tools somewhat demarcate the points of reference that actors have for deriving shared readings of preferences, objectives and organisational identity. The literature has focused on emphasising ways in which actors are compartmentalised within organisations to pertain to particular sectors or respond to specific policy requirements (Brunsson 1985). It acknowledges that actors will derive certain ways of thinking about policy options and decisions within organisations, depending on their portfolios, in ways that may not amalgamate all the goals of the overarching organisation (Brunsson 2002). Policy-makers are portrayed to take decisions depending on interests derived from interactions with their organisational environment, which at times do not match rational expectations or objectives in other parts of the organisation (DiMaggio and Powell 1991a, b; March and Simon 1993; Olsen 2003). The analysis in the thesis strongly supports these propositions, but it also suggests that there is an additional dimension to actors' cognition and preference formation.

In addition to sectoral imperatives, European Commission officials working on migration were concerned with legitimacy and with the ability of the overall organisation to pursue external dimension goals. This point was not one that could be accounted for through the theoretical framework employed in the thesis. The practices of DG officials, and the way they made sense of migration policy, reflected not only a concern with making sure that policy objectives matched sectoral functions, but also that the European Commission as a political entity was effective in policy formulation and policy output, and that DGs' roles contributed to its overall goals as an organisation. This issue was particularly evident in relation to implementation patterns and shared responsibilities with member states, where competence was contested or constrained.

There are two theoretical implications to this observation. The first is that the tools offered by organisational sociology would benefit from integrating the possibility that complex organisations may furnish members with multiple sources for developing organisational culture. A sectoral lens for examining organisations could incorporate an element of actors' awareness of an overarching organisational structure, and theorise on the influence the latter may have on the reading of and justification for objectives—in conjunction with readings along organisational unit lines. March and Simon, for instance, have written about uncertainty and ambiguity, and ways in which actors deal with these in decision- and policy-making processes (1993). The logic guiding actor behaviour does not necessarily have to be limited to their immediate environment; actors may in fact weigh and deal with ambiguity in relation to the broader context of the organisation. This point was exemplified in the research when DG officials referred to member states, and when they considered options for implementing objectives—even though at times the latter would have been inconsistent with their DG's ethos.

The second (interlinked) implication has to do with actors' legitimating practices, especially at times when new policies are incorporated into the organisation, or when there is a change in responsibilities. Actors seem to not only be concerned with

legitimacy in relation to their sectors and political environment, but also in terms of pertaining to an overarching organisation. They primarily refer to their portfolios to make sense of new policies, but they are also concerned with creating a role for themselves in a particular policy space—in this case, on the external dimension of migration. The concern of officials was not only about being congruent with security, external relations, or development cooperation, respectively. It was also about having the competence to play a significant role in policy processes and implementation as a whole. Legitimation in organisational writings has mainly focused on responses to political and sectoral environments, and the ability to perform an organisational role in relation to them (Brunsson 2002; DiMaggio and Powell 1991b; Meyer and Rowan 1977; Olsen 2003). In addition to these, it would be fruitful to incorporate theorising on organisations' endeavours to become significant political actors in their own right in the overall policy spaces within which they function.

In terms of the empirical implications of the analysis, the focus of this study was primarily on the incorporation of policy objectives across the Commission's portfolios. However, the thesis is also an account of organisational change. The project's concern was with establishing the influence of organisational culture on the pursuit of the external dimension of migration, and to offer a detailed understanding of the Commission's functioning from an organisational perspective. But in the process of doing so, the thesis outlines how the Commission's functions and the practices of its DGs adapted to new responsibilities.

Viewing the empirical contributions of the thesis from this angle contributes to studies on organisational change. Scholars analysing change in organisations have attributed it to a number of factors, for instance, the interplay between rationality and non-rationality, anomalies in the process of incorporating objectives and adaptation to these anomalies, or as a response to particular sets of forces within organisations (March 1988: 167-8). Discussions about ways in which organisations adapt to the environment also deal with change in trying to explain organisational responses to particular pressures (Brunsson 2002; Meyer and Rowan 1977; DiMaggio and Powell



1991b). The findings in the thesis track how what happened at the official level—with the endorsement of the external dimension of migration—translated (or not) into the practices of the European Commission. This account may be seen to represent unintended organisational change, or as an adaptation to the sectoral environment of each DG. However, it can also be seen as an illustration of the internal dynamics of change. The findings in the thesis suggest that change in organisations is underlain by sets of internal dynamics, which respond to policy requirements, sectoral imperatives, legitimisation efforts, and adaptations to implementation possibilities and constraints.

Following from the latter point, the empirical findings also have implications for implementation studies. Writings on implementation have been concerned, generally, with analysing its problems. The mismatch between the drawing of particular policies and practice has led to debates on why there is a gap (Barrett 2004; Elmore 1979; Heclo 1972, 2010; Sabatier 1986; Sabatier and Mazmanian 1980). Some of these analyses acknowledge that internal processes and interests within organisations and political institutions can explain why policies change on their way to being implemented (Baier, March and Sætren 1988; Barrett 2004; Bennett and Howlett 1992). Others have focused on factors that detract from an organisation's ability to effectively pursue policies, and propose ways to tackle—or simply understand—this phenomenon (Elmore 1979; Matland 1995; Sabatier 1986; Sabatier and Mazmanian 1980).

The thesis contributes to these debates in two ways. First, it examines the internal processes at play within a complex organisation, suggesting that these are indeed significant in explaining how policies are internalised and subsequently implemented (or not). The endorsement of the external dimension of migration did not lead to its smooth incorporation into the relevant organisational structures, nor was it translated into coherent practices. The analysis has demonstrated that organisational cultures and actors' role in making sense of policy explain to a large extent why this was the case.

Second, this project looks at a specific instance of policy implementation by examining relations with Morocco on migration. The programmes put into practice with this country at different levels show that implementation practices are not uniform or limited to one level (the bilateral level). The pursuit of initiatives through alternative channels, for instance in conjunction with international organisations or out-with official frameworks, suggests that organisations can adapt their implementation processes to constraints and deal with ambiguity. Questions remain on whether implementation is effective when it is patchy, and on whether organisations can translate objectives into practices in a straight-forward and smooth manner. As this research suggests, it may be the case that implementation of policies by complex organisations has to be conceptualised and defined differently.

## **Annex I: Organisational Hierarchies of JLS, Relex and Development (2009)**



















## **Annex II: Organisational Hierarchies of DG Home Affairs and the European External Action Service (2012)**





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